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THE UNIVERSITY ACT

Revised Statutes of Ontario, 1927

Chapter 337

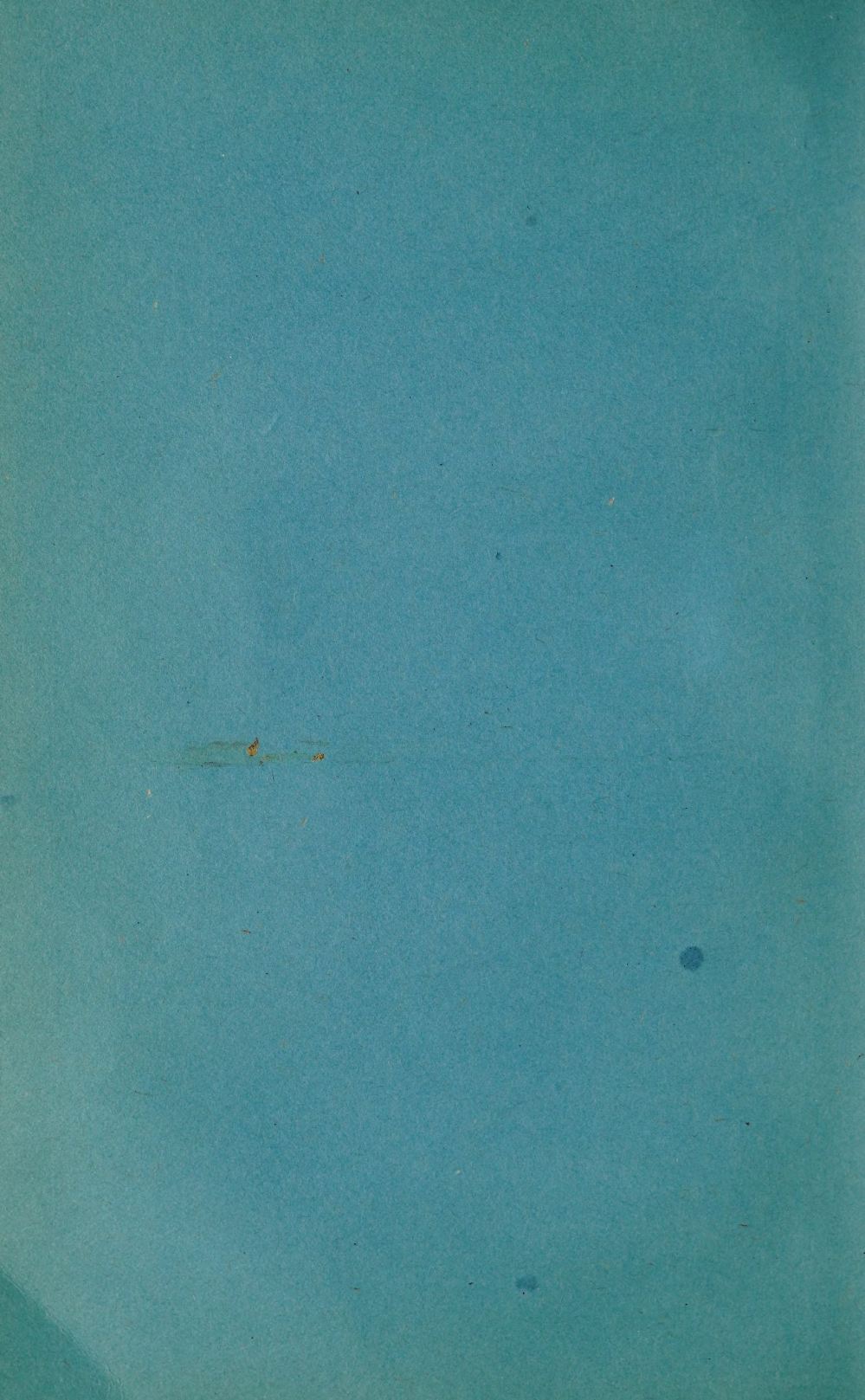


ONTARIO
DEPARTMENT OF EDUCATION

TORONTO

Printed and Published by the Printer to the King's Most Excellent Majesty

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The University Act.

R.S.O. 1927, Chapter 337.

INTERPRETATION AND GENERAL PROVISIONS.

Interpreta- tion.

1. In this Act

"Appointed
members."

- (a) "Appointed members" shall mean the members of the Board appointed by the Lieutenant-Governor in Council;

"Board."

- (b) "Board" shall mean Governors of the University of Toronto;

"College."

- (c) "College" shall include a school or other institution of learning;

"Head."

- (d) "Head," when it refers to the head of a federated university or of a federated college, shall mean the person who is or is certified by the governing body of such university or college to be the head thereof;

"Property."

- (e) "Property" shall include real property and all other property of every nature and kind;

"Real
property."

- (f) "Real property" shall include messuages, lands, tenements and hereditaments whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;

"Teaching
staff."

- (g) "Teaching staff" shall include professors, associate professors, lecturers, instructors, demonstrators and all others engaged in the work of teaching or giving instruction;

"Trinity
College."

- (h) "Trinity College" shall mean Trinity College as established and incorporated by the Act passed in the 14th and 15th years of the reign of Her late Majesty, Queen Victoria, chaptered 32, and as constituted a University by Royal Charter bearing date the 16th day of July, 1853;

"University."

- (i) "University" shall mean University of Toronto.
R.S.O. 1914, c. 279, s. 2.

2. The Provincial University, known as the University of Toronto, the Provincial College, known as University College, the Senate, Convocation, the several faculties of the University and the Faculty of University College, are and each of them is hereby continued, and, subject to the provisions of this Act, shall respectively have, hold, possess and enjoy all the property, rights, powers and privileges which they respectively now have, hold, possess or enjoy. R.S.O. 1914, c. 279, s. 3.

University,
University
College,
Faculties, etc.,
continued.

3. All appointments in and statutes and regulations affecting the University and University College and each of them shall continue, subject to the provisions of this Act, and subject also, as to the teaching staff and all officers, servants and employees, to their removal by the Board. R.S.O. 1914, c. 279, s. 4.

Appointments,
statutes and
regulations,
continued.

4.—(1) If and when a proclamation to that effect is issued by the Lieutenant-Governor in Council, the name of the University shall be changed to and the University shall be known as "The University of Ontario" from and after such date as shall be named in the proclamation for the change taking effect.

Proclamation
changing
name
of University.

(2) The proclamation shall not be issued unless and until a statute of the Senate approving of the change has been passed by the vote of at least three-fourths of the members thereof present at a meeting called for the purpose of considering the question of making such change and unless and until the change has been sanctioned by the Board. R.S.O. 1914, c. 279, s. 5.

When procla-
mation may
be issued.

5.—(1) Whenever in any Act or document reference is made to the School of Practical Science, the same shall apply and extend to the Faculty of Applied Science and Engineering.

School of
Practical
Science to
mean Faculty
of Applied
Science, etc.

(2) All money expended by the Board in the maintenance of the faculty shall for the purposes and within the meaning of the agreement bearing date the 2nd day of March, 1889, between Her late Majesty Queen Victoria, and the Corporation of the City of Toronto, be deemed to be money expended by "Her Majesty and Her Successors acting by and through the Executive Council of the Province of Ontario." R.S.O. 1914, c. 279, s. 6.

Money ex-
pended by
Board in
maintenance
of such
faculty.

FEDERATED AND AFFILIATED INSTITUTIONS.

6.—(1) Every university and every college federated with the University and every college affiliated with the University shall continue to be so federated or affiliated, subject to any statute in that behalf and to this Act.

Universities
and colleges,
federated or
affiliated.

Colleges
affiliated with
federated
University.

(2) A college affiliated with a federated university at the time of its federation with the University, whether heretofore or hereafter entered into, shall be deemed to be affiliated with the University.

Victoria and
Trinity.

(3) The following are declared to be the universities federated with the University, that is to say, Victoria University and Trinity College.

Knox, Wycliffe
and
St. Michael's.

(4) The following are declared to be the colleges federated with the University, that is to say, Knox College, Wycliffe College and St. Michael's College. R.S.O. 1914, c. 279, s. 7 (1-4).

Affiliated
colleges.

(5) The following are declared to be the colleges affiliated with the University, that is to say—Albert College, the Ontario Agricultural College, The Royal College of Dental Surgeons, The Ontario College of Pharmacy, The Columbian Methodist College, The Ontario Veterinary College and The Ontario College of Art; The Ontario Ladies College and Alma College which are affiliated with the University by reason of their having been affiliated with Victoria University when that University became federated with the University, and St. Hilda's College, which is affiliated with the University by reason of its having been affiliated with Trinity College when Trinity College became federated with the University. 1926, c. 68, s. 3.

Affiliated col-
leges, when to
be represented
in Senate.

(6) A college affiliated with the University since the 15th day of April, 1901, or hereafter affiliated with it shall not be entitled to representation on the Senate unless so declared by statute.

Removal of
college from
federation or
affiliation.

(7) The Senate may remove from federation or affiliation with the University any college, now or hereafter federated or affiliated with it, which becomes an integral part of or federates or affiliates with any other university which has and exercises the powers of conferring any degrees other than those in theology.

Colleges
affiliated with
federated uni-
versity to
cease to be
affiliated with
University on
dissolution
of federation.

(8) If and when any university now or hereafter federated with the University ceases to be federated with it, every college which is affiliated with the University by reason only of its having been affiliated with such federated university shall thereupon and thereafter cease to be affiliated with the University, but shall retain the same relation with the federated university with which it was affiliated as existed when such federated university became federated with the University.

Arts faculties
of Victoria,
Trinity and
St. Michael's.

(9) The arts faculties of Victoria University, Trinity College and St. Michael's College in their relation to the University shall be known as and may be called colleges of the

University bearing respectively as such colleges the names Victoria College, Trinity College and St. Michael's College. R.S.O. 1914, c. 279, s. 7 (6-9).

7.—(1) When any university in Ontario determines to surrender its degree-conferring powers, except the power of conferring degrees in Theology, and notifies the Board of such determination, the Board may by statute declare such university to be federated with the University on and from a day to be named in the statute, and thereupon and thereafter the power of such federated university to confer degrees, except Theology, shall be suspended.

Admission of Universities to federation.

(2) Every such statute shall be published forthwith after the passing thereof in the *Ontario Gazette*.

Publication of statute.

(3) The power and authority of conferring degrees, except in Theology, of any university now or hereafter federated with the University shall be suspended and in abeyance, but may be resumed by such federated university if three years have elapsed from the date when its federation with the University took effect, and if after the lapse of such three years one year's notice in writing of its intention to resume its degree-conferring powers has been given to the Board; and such federated university shall cease to be federated with the University at and after the expiry of the last mentioned period.

Suspension of degree-conferring powers during federation.

Proviso.

(4) Notice that any such federated university has ceased to be federated with the University and the date when it ceased to be so federated shall be published in the *Ontario Gazette*.

Notice of dissolution of federation.

(5) The graduates and undergraduates in Arts, Science and Law of a federated university and such graduates and undergraduates thereof in Medicine as have passed their examinations in Ontario, so long as such federation continues, shall have and enjoy the same degrees, honours and status in the University as they held and enjoyed in the federated university. R.S.O. 1914, c. 279, s. 8.

Rights of graduates and undergraduates of federated university.

8.—(1) No religious test shall be required of any professor, lecturer, teacher, officer or servant of the University or of University College, or of any student thereof or therein, nor shall religious observances according to the forms of any religious denomination or sect be imposed on them or any of them, but the Board may make regulations touching the moral conduct of the students thereof and therein and their attendance on public worship in their respective churches or other places of religious worship and their religious instruction by their respective ministers, according to their respective forms of religious faith, and every requisite facility shall be afforded for such purposes, but attendance on such forms

Religious tests, etc., not required.

Moral and religious training.

of religious observance shall not be compulsory on any student attending the University or University College.

Right of
federated
universities
and colleges
as to religion.

(2) Nothing in this section shall interfere with the right of a federated university or college to make such provision in regard to religious instruction and religious worship for its own students as it may deem proper, and to require the same to be observed as a part of its own discipline. R.S.O. 1914, c. 279, s. 9.

PROPERTY.

Accounts of
proceeds of
sales of lands
set apart for
University and
University
College.

9.—(1) Separate accounts of the proceeds of the sales of the lands set apart for the use of the University and University College or either of them by the Act passed in the 60th year of the reign of Her late Majesty Queen Victoria, chaptered 59, and by the Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 36, as amended by the Act passed in the 5th year of the same reign, chaptered 36, and by the Act passed in the last mentioned year chaptered 37, shall continue to be kept by the proper officers and departments and yearly accounts thereof to be furnished to the Board, as provided in those Acts, and all money derived from such sales shall be paid to the Board free from all charges or deductions for management or otherwise.

Rights of
University as
to such lands
preserved.

(2) The repeal of the Acts and parts of Acts mentioned in subsection 1 shall not affect or impair the right of the University and University College or either of them to have the lands mentioned therein set apart in accordance with and subject to the provisions thereof.

Annual grant
of \$7,000
continued.

(3) The annual grant of \$7,000, provided for by the first mentioned Act, shall continue to be paid to the Board as provided therein, and the same shall form a charge upon and be paid from time to time out of the Consolidated Revenue Fund. R.S.O. 1914, c. 279, s. 10.

Property
vested in
trustees
transferred
to Board.

10. All property heretofore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the University and University College or either of them or of any faculty or department thereof or otherwise in connection therewith, subject always to the trust affecting the same, shall be vested in the Board. R.S.O. 1914, c. 279, s. 11.

Queen's Park.

11. The land demised to the Corporation of the City of Toronto for the purpose of a park under the authority of section 66 of chapter 62 of the Consolidated Statutes of Upper Canada shall, so long as the lease remains in force, form part of the City of Toronto and the residue of the land adjacent to the park which is vested in the Board, shall be

subject to the police regulations of the corporation and the council thereof and except as herein otherwise provided to the by-laws thereof. R.S.O. 1914, c. 279, s. 12.

12. All real property vested in the Board shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. R.S.O. 1914, c. 279, s. 13.

Application of statute of limitations as to property.

13. The dedication heretofore by the Crown for any purpose of any real property held for the purposes of the University and University College or either of them has not taken away from such real property any rights or privileges which it enjoyed as Crown lands or prejudicially affected the same, but all such rights and privileges remain in full force and effect. R.S.O. 1914, c. 279, s. 14.

Former dedication to university not to affect status of lands as Crown lands.

14.—(1) The real property vested in the Board shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose; and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Land vested in Board not liable to expropriation.

(2) Subsection 1 shall apply to real property owned by or vested in any university or college federated with the University. R.S.O. 1914, c. 279, s. 15.

Nor land vested in the other bodies.

15.—(1) The property real and personal vested in the Board shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation; but except as mentioned in subsection 2 the interest of every lessee and occupant of real property vested in the Board shall be liable to taxation.

Exemption of property from taxation.

Lessees, etc., liable.

(2) The liability to taxation of the interest of a lessee or occupant mentioned in this section shall not extend to the interest of a lessee or occupant being a member of the teaching staff or an officer or servant of the University or of University College who, or being an association of undergraduates or an incorporated society of undergraduates or of graduates and undergraduates which, is the lessee or occupant of any part of the property commonly known as the University Park, composed of the north halves of Park lots numbers eleven, twelve and thirteen in the first concession from the Bay, in the Township of York, now in the City of Toronto, and including that part of park lot number fourteen in the first concession, described in a conveyance to Her late Majesty Queen Victoria, registered as number 8654R in

Lessees or occupants of certain land exempted.

the registry office for the registry division of the City of Toronto, but the interest of every such lessee or occupant shall be exempt from taxation.

Certain land
of federated
bodies also
exempt.

(3) Those parts of the lots mentioned in subsection 2 which are now or hereafter may be owned, leased or occupied by any federated university or federated college for the purposes of such university or college shall also be exempt from taxation in the same way and to the same extent as the real property vested in the Board is by subsection 1 exempted from taxation. R.S.O. 1914, c. 279, s. 16.

Endowment
of chairs or
scholarships.

16. Any person with the approval of the Board may, under and subject to such terms and conditions as he may prescribe, endow a chair or found a scholarship in the University or University College, or aid the University and University College and each of them by providing an endowment for any other purpose or object in connection therewith. R.S.O. 1914, c. 279, s. 17.

BOARD OF GOVERNORS.

Board of
Governors.

17. The Board of Governors of the University and University College is continued as a body corporate by the name and style of "The Governors of the University of Toronto," and shall have in addition to the rights, powers and privileges mentioned in section 27 of *The Interpretation Act*, the power to take and hold real property for the purposes of the University and of University College without license in mortmain. R.S.O. 1914, c. 279, s. 18.

Rev. Stat.
c. 1.

Composition
of Board.

18.—(1) The Board shall consist of the Chancellor and the President of the University, who shall be *ex officio* members, and twenty-two persons appointed by the Lieutenant-Governor in Council. R.S.O. 1914, c. 279, s. 19.

Nomination
of certain
members of
Board of
Governors
by Alumni.

(2) The Alumni Federation of the University of Toronto may nominate eight of the twenty-two persons so to be appointed by the Lieutenant-Governor in Council and such nomination shall be by general vote of the members of the Alumni Federation of the University of Toronto who are graduates of the University, and such vote shall be taken by closed voting papers mailed or delivered by the members to the secretary-treasurer of the said Federation at such time and subject to such regulations as may be made by the Alumni Council of the said Federation with the approval of the Lieutenant-Governor in Council.

Nominees to
be appointed
as vacancies
arise.

(3) Vacancies hereafter occurring by the expiry of the term of office or by death or resignation or from any other cause among the appointed members may be filled from among the persons so nominated until eight such persons have been appointed, and in the case of vacancies caused by death

or resignation or from any cause other than the expiry of the term of office the member appointed shall hold office for the remainder of the term for which the member whose place is to be filled was appointed.

(4) The persons declared to be ineligible for appointment as members of the Board shall not be eligible for nomination by the Alumni Federation of the University of Toronto. 1924, c. 85, s. 2. Who ineligible for nomination.

19. No person shall be eligible for appointment as a member of the Board unless he is a British subject, and a resident of Ontario. R.S.O. 1914, c. 279, s. 20. Disqualifications.

20. One of the members of the Board shall be appointed by the Lieutenant-Governor in Council to be its Chairman. R.S.O. 1914, c. 279, s. 21. Chairman.

21.—(1) The Board may appoint one of its members to be Vice-Chairman, and in case of the absence or illness of the Chairman, or of there being a vacancy in the office of Chairman, the Vice-Chairman shall act as and have all the powers of the Chairman. Appointment of Vice-Chairman.

(2) In case of the absence or illness of the Chairman, and the Vice-Chairman, the Board may appoint one of its members to act as Chairman *pro tempore* and the member so appointed shall act as and have all the powers of the Chairman. Chairman pro tempore.

(3) All acts which lawfully might have been done by the Chairman, when done by the acting Vice-Chairman, or by a Chairman *pro tempore* shall be conclusively deemed to have been lawfully done, and it shall not be necessary to prove that any of the causes mentioned in subsection 1 for the Vice-Chairman acting, or that any of the causes mentioned in subsection 2 for the appointment of a Chairman *pro tempore* in fact existed. R.S.O. 1914, c. 279, s. 22. Validity of their acts.

22. Unless and until otherwise provided by the Board, seven members shall constitute a quorum. R.S.O. 1914, c. 279, s. 23. Quorum.

23. Notwithstanding any vacancy in the Board, as long as there are at least ten members it shall be competent for the Board to exercise all or any of its powers. R.S.O. 1914, c. 279, s. 24. Ten members may exercise powers.

24. The appointed members of the Board shall hold office for six years, and until their successors are appointed. R.S.O. 1914, c. 279, s. 25. Term of office.

Members may
be re-
appointed.

25. An appointed member of the Board shall be eligible for re-appointment. R.S.O. 1914, c. 279, s. 26.

Removal
from office.

26. An appointed member of the Board may be removed by the Lieutenant-Governor in Council. R.S.O. 1914, c. 279, s. 27.

Heads of
federated
universities,
etc., ineligible.

27.—(1) The head of University College, the head of a federated university, or of a federated or an affiliated college, a member of the teaching staff of the University, of University College, of a federated university, or of a federated or affiliated college, shall not be eligible to be appointed as a member of the Board.

Vacancies.

(2) If a member of the Board, after his appointment, accepts or occupies any of such offices or positions, or goes to reside out of Ontario, or becomes insane or otherwise incapable of acting as a member, he shall *ipso facto* vacate his office, and a declaration of the existence of such vacancy entered upon the minutes of the Board shall be conclusive evidence thereof. R.S.O. 1914, c. 279, s. 28.

Filling
vacancies.

28. Where a vacancy on the Board happens before the term of office for which a member has been appointed has expired, the vacancy shall be filled by the appointment by the Lieutenant-Governor in Council of a successor, who shall hold office for the remainder of the term. R.S.O. 1914, c. 279, s. 29.

Government,
etc., of
University
vested in
Board.

29. The government, conduct, management and control of the University and of University College, and of the property, revenues, business and affairs thereof, shall be vested in the Board. R.S.O. 1914, c. 279, s. 30.

Borrowing
powers of
Board.

30.—(1) In order to enable the Board to provide for the purchase of such land, and the erection of such buildings as from time to time may be necessary for the purposes of the University and University College, including additions to, improvements of, and equipment for buildings now or hereafter erected, the Board may from time to time borrow such sums, not exceeding in the whole \$2,000,000, as may be necessary for such purposes, and may make and execute such instruments as may be deemed requisite for securing payment of the sums so borrowed, and the interest thereon.

Money
borrowed to
be charge on
property.

(2) The sums so borrowed and the interest thereon shall stand and be charged upon all the property vested in, and the revenues and income of the Board, and it shall not be necessary that any formal instrument declaring such charge shall be executed or registered.

(3) The power of borrowing hereby conferred shall not be exercised unless with the approval of the Lieutenant-Governor in Council, who may prescribe the terms and conditions on which from time to time the power shall be exercised and the money borrowed, and the nature of the securities to be given by the Board for the repayment of the money borrowed and of the interest thereon, which may be bonds, debentures, terminable annuities or such other form of security as the Lieutenant-Governor in Council may direct or authorize.

Approval of
Lieutenant-
Governor in
Council.

(4) The power of borrowing hereby conferred shall be a continuing one, and shall include the power of reborrowing, but the amount of the principal money at any time owing shall not exceed in the whole \$2,000,000.

Borrowing
powers exer-
cisable from
time to time.

(5) The Lieutenant-Governor in Council for and in the name of the Province of Ontario may guarantee the securities for all sums borrowed by the Board under the authority of this section, and the performance of the stipulations on its part contained in such securities.

Lieutenant-
Governor in
Council may
guarantee
loans.

(6) The form and manner of the guaranty shall be determined by the Lieutenant-Governor in Council and the guaranty shall be signed by the Treasurer of Ontario or by such officer or person as shall be designated for that purpose by the Lieutenant-Governor in Council.

Form of
guaranty.

(7) Every guaranty so signed shall be binding on the Province and the purchaser of any security so guaranteed shall not be bound to inquire into the authority of the officer or person signing the guaranty. R.S.O. 1914, c. 279, s. 31.

31. Without thereby limiting the general powers by this Act conferred upon or vested in the Board, it is declared that the Board shall have power to

Powers of
Board.

(a) make rules and regulations pertaining to the meetings of the Board and its transactions, for fixing the quorum of the Board, and for the appointment of such committees as it may deem necessary, and for conferring upon any of such committees power and authority to act for the Board in and in relation to such matters as the Board may deem it expedient to delegate to a committee with power to act for the Board;

Conduct of
proceedings.

(b) appoint the President of the University, the Principal of University College, the Deans of all the faculties, the Librarian, the Bursar, the Registrar of the University, the Registrar of University College, the professors, teachers and instructors of and in the University and in University College, and all such officers, clerks, employees and servants as the Board may deem necessary for

Appointment
of President,
Deans, Pro-
fessors, etc.

the purposes of the University and University College or either of them, and fix their salaries or remuneration, and define their duties, except those of the Librarian, and their tenure of office or employment, which, unless otherwise provided, shall be during the pleasure of the Board;

Appointments
to be approved
by the
President.

- (i) No person shall be appointed as Principal of University College, or as a Dean of any faculty, or as a member of the teaching staff of the University, or of any faculty thereof or of University College, unless he has been first nominated by the President of the University and no Dean of a faculty or member of the teaching staff of the University or of any faculty thereof, or of University College, shall be promoted, and no principal of University College or Dean of a faculty or member of such teaching staff shall be removed from office except upon the recommendation of the President of the University, but this provision shall not apply where there is a vacancy in the office of President. R.S.O. 1914, c. 279, s. 32 (a, b).

Removals.

Superannua-
tion and
retirement.

- (c) make regulations respecting and provide for the retirement and superannuation of any of the persons mentioned in clause b, or the payment of a gratuity to any of them upon retirement, and provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the money of the Board or by contributions from such persons, or partly by both; R.S.O. 1914, c. 279, s. 32, cl. (c); 1926, c. 68, s. 4 (1).

Investments.

- (d) subject to the limitations imposed by any trust as to the same, invest all such money as shall come to the hands of the Board, and is not required to be expended for any purpose to which it lawfully may be applied, in such manner as to the Board may seem meet;

Acquiring and
holding real
property.

- (e) purchase, take and hold by gift or devise real property for the purposes of the University and University College, or either of them, without license in mortmain;
- (i) Every person shall have the unrestricted right to devise and bequeath property, real and personal, for the purposes of the University and University College, or either of them, to the Board, or otherwise for such purposes.

- (f) purchase and acquire all such property as the Board may deem necessary for the purposes of the University and University College, or either of them; Acquiring other property.
- (i) The power conferred by this paragraph shall include that of purchasing the interest of a lessee in any real property vested in the Board which is under lease.
- (g) without the consent of the owner or of any person interested therein enter upon, take, use and expropriate all such real property as the Board may deem necessary for the purposes of the University and University College, or either of them, or of any other university or college federated with the University at the cost and expense of such federated university or college, making due compensation for any such real property to the owners and occupiers thereof, and all persons having any interest therein; Expropriation of lands.
- (i) The provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation, shall *mutatis mutandis* apply to the Board, and to the exercise by it of the powers conferred by this paragraph, and where any act is by any of such provisions required to be done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the Bursar of the University, or at his office, as the case may be. Rev. Stat. c. 233.
- (h) acquire, hold, maintain and keep in proper order and condition such real property as the Board may deem necessary for the use of the students of the University and University College, and each of them, for athletic purposes, and erect and maintain such buildings and structures thereon as it may deem necessary; Acquiring and maintaining real property for athletic purposes.
- (i) make such regulations and provide such means for the physical examination, instruction and training of the students of the University and University College as to the Board may seem meet; Physical training.
- (j) sell any of the real property vested in the Board or lease the same for any period not exceeding twenty-one years to commence in possession, with such right of renewal and under and subject to such rents, covenants, agreements and conditions as to the Board may seem meet; Selling and leasing lands.

Expenditure
of funds in
maintenance
and im-
provements.

(k) lay out and expend such sums as the Board may deem necessary for the support and maintenance of the University and University College, and each of them, and for the betterment of existing buildings, and the erection of such new buildings as the Board may deem necessary for the use or purposes of the University and University College, and of each of them, and for the furnishing and equipment of such existing and newly erected buildings;

Residences
and dining
halls, etc.

(l) lay out and expend such sums as the Board may deem necessary for the erection, equipment, furnishing and maintenance of residences and dining halls for the use of the students of the University and University College, and of each of them, whether such students are graduates or undergraduates, and acquire and take over from any corporation any rights and powers possessed by it in respect of University residences and any property vested in it, on such terms as may be agreed on between such corporation and the Board;

(i) Such corporation may enter into and carry out any agreement for such purposes, and upon the agreement being completed such corporation shall, if so provided by the terms of the agreement, be dissolved, and its rights, powers and property be vested in the Board.

Control of
residences, etc.

(m) make such rules and regulations as may to the Board seem meet for the management, government and control of such residences and dining halls;

Establishing
faculties, de-
partments, etc.

(n) establish such faculties, departments, chairs and courses of instruction in the University, and such departments, chairs and courses of instruction in University College in any subject except theology, as to the Board may seem meet;

Federation
of colleges.

(o) provide for the federation with the University of any college established in Ontario for the promotion of Art or Science, or for instruction in Law, Medicine, Engineering, Agriculture or any other useful branch of learning, on such terms as to representation on the Senate, and otherwise, as to the Board may seem meet, and enter into any agreement which may be deemed necessary to effectuate such federation;

Affiliation
of colleges.

(p) provide for the affiliation with the University of any college established in Canada for the promotion of Art or Science, or for instruction in Law,

Medicine, Engineering, Agriculture or any other useful branch of learning, on such terms as to representation on the Senate and otherwise as to the Board may seem meet, and enter into any agreement which may be deemed necessary to effectuate such affiliation;

- (q) provide for the dissolution of any such affiliation Dissolution of affiliation. or of any existing affiliation or for the modification or alteration of the terms thereof;
- (r) fix the fees to be paid for post-graduate instruction, Fees. and for instruction in the faculties of medicine and applied science and engineering, and in any other faculty hereafter established, the fees to be paid by regular and occasional students in the University and in University College for enrolment therein, the library fees, the laboratory fees, the gymnasium fees, the fees for physical examination and instruction, and the fees for examinations, degrees and certificates, and when a federated college by arrangement with the proper authorities teaches any part of the course in Arts, make such a reduction in the fees, payable by the students so taught in such college as to the Board may seem reasonable;
- (s) enter into such arrangements with the governing body of any secondary or primary school as the Board may deem necessary for the purpose of Arrangements with secondary and primary schools. or in connection with the academic work of the University or of any faculty or department thereof;
- (i) The governing body of any such school which is a collegiate institute, a high school, a technical school or public or separate school, may, with the approval of the Lieutenant-Governor in Council, make such arrangements with the Board; and
- (t) establish, erect, equip, maintain and conduct such primary and secondary schools as may be deemed requisite for the purpose of practice and observation or otherwise for or in connection with the Faculty of Education, and fix the fees to be paid for instruction in such schools; R.S.O. 1914, c. 279, s. 32 (d-t).
- (u) borrow from time to time from any bank or lender Borrowing by board from bank or lender. on such terms as may be agreed on such sums of money as may be required for the purposes of the University and University College.

Limits of
amount.

(i) The total sum to be so borrowed and remaining unpaid at any one time shall not, without the approval of the Lieutenant-Governor in Council, exceed \$250,000.

Lender not
required to
inquire as to
necessity for
loan.

(ii) A bank or lender shall not be bound to inquire as to the necessity for borrowing, but where any loan is made, it shall be deemed to have been lawfully made under the authority of this section. 1916, c. 63, s. 1; 1926, c. 68, s. 4 (2).

32. The Board shall have, and shall as from the 15th day of June, 1906, be deemed to have had the power to—

Power to
acquire
patents, etc.

(i) purchase or otherwise acquire any invention or any interest therein, or any rights in respect thereof, or any secret or other information as to any invention, and apply for, purchase or otherwise acquire any patents, interests in patents, licenses and the like conferring any exclusive or non-exclusive or limited right to make or use or sell any invention or inventions; and use, exercise, develop, dispose of, assign or grant licenses in respect of, or otherwise turn to account the property rights or information so acquired; and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of any invention or any rights in respect thereof, or the owner of a patent of invention or of any rights thereunder may possess, exercise and enjoy;

Power
to acquire
trade marks.

(ii) apply for, purchase or otherwise acquire any trade marks or trade names and the like or any interest therein and use, dispose of, assign or otherwise turn to account the trade marks, trade names and interests so acquired; and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a trade mark or trade name or the like may possess, exercise and enjoy;

Power to
acquire
copyright.

(iii) apply for, purchase or otherwise acquire any copyright or like right or any interest therein or right thereunder, and use, exercise, develop, dispose of, assign or grant licenses in respect of or otherwise turn to account any copyright or like right or any interest or right so acquired; and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a copyright or like right

or of any interest therein or right thereunder may possess, exercise and enjoy. 1924, c. 85, s. 3.

33. The Board may modify, alter and change the constitution of any body constituted or continued by this Act, except the Senate, and create such new bodies as may be deemed necessary for the purpose of carrying out the objects and provisions of this Act, and also confer upon the bodies constituted or continued by this Act, or any or either of them, and upon any new body hereafter constituted, such powers as to the Board may seem meet, but nothing herein shall authorize any abridgement of the powers conferred upon the Senate by section 48. R.S.O. 1914, c. 279, s. 33.

Alterations to constitution.

34.—(1) The Board may make provision for enabling the students of the University, University College and the federated universities and federated colleges to appoint a representative committee of themselves to be chosen in such manner as shall be approved by the Board, which shall be the recognized official medium of communication on behalf of such students between them and the Board.

Committee of students.

(2) The committee shall have the right to make communications through the President of the University to the Board upon any subject in which they are or may deem themselves to be interested.

Right to make communications.

(3) Nothing herein shall take away or impair the right of any student of or in the University or University College to make complaint to the governing bodies thereof or to the Board in respect of any matter as to which he is or may deem himself to be entitled to complain; but every such complaint shall be transmitted through the President to the Board or to the proper governing body, as the case may be, and in no other manner.

Saving individual rights.

(4) Nothing in this section shall impair or affect the right of control which any federated university or college possesses over its students. R.S.O. 1914, c. 279, s. 34.

Saving control of federated bodies.

35.—(1) The Board shall not incur any liability or make any expenditure which has the effect of impairing the endowment of the University and University College, or any addition to such endowment hereafter made, unless an estimate therefor has been first made and approved by the Lieutenant-Governor in Council.

Endowment not to be impaired without consent of Government.

(2) In this section "endowment" shall mean and include the real property vested in the Board, the proceeds of any part thereof sold, and the money invested in mortgages or other securities. R.S.O. 1914, c. 279, s. 35.

"Endowment," meaning of.

Restriction
as to expendi-
ture.

36. The Board shall not incur any liability or make any expenditure for the purchase of land or the erection of buildings unless the same can be met and is provided for out of the income of the year, or is sanctioned by the Lieutenant-Governor in Council. R.S.O. 1914, c. 279, s. 36.

Action of
Board by
resolution or
statute.

37. Save as in this Act otherwise expressly provided, the action of the Board in any matter with which it may deal shall be by resolution or by statute, as the Board may determine, but it shall not be essential to the validity of any such resolution or statute that it be under the corporate seal of the Board if it is authenticated in the manner prescribed by the Board. R.S.O. 1914, c. 279, s. 37.

Accounts of
Board,
audit of.

38.—(1) The accounts of the Board shall be audited at least once a year by the Provincial Auditor, or by some person appointed by the Lieutenant-Governor in Council for that purpose.

Annual report
to Govern-
ment.

(2) The Board shall make an annual report of its transactions to the Lieutenant-Governor in Council, in which shall be set forth in detail the receipts and expenditures for the year ended on the next preceding thirtieth day of June, and of the investments as they stood at the end of such year, and such other particulars as the Lieutenant-Governor in Council may from time to time require.

When report
to be trans-
mitted.

(3) The report shall be transmitted to the Provincial Secretary on or before the first day of December next after the close of the year for which it is made, and shall be laid before the Assembly forthwith if the Assembly is then in session or if it is not then in session, within ten days after the commencement of the next session. R.S.O. 1914, c. 279, s. 38.

Consent of
Attorney-Gen-
eral to actions
against Board.

39. Without the written consent of the Attorney-General no action shall be brought against the Board or against any member of it on account of anything done or omitted by him in the execution of his office. R.S.O. 1914, c. 279, s. 39.

Powers of
Board as to
deciding ques-
tions as to
powers and
duties.

40. If any question arises as to the powers or duties of the Council of University College, of the council of any faculty, of the Caput, of the President, of the Principal of University College, or of any officer or servant of the University or of University College, the same shall be settled and determined by the Board, whose decision shall be final. R.S.O. 1914, c. 279, s. 40.

THE SENATE.

Senate, how
composed.

41. The Senate of the University shall be composed as follows:

Chancellor
and heads of
colleges, etc.

(a) The Chancellor of the University, the Chairman of the Board, the President of the University, the

Principal of University College, the President or other head of every federated university and federated college, the Deans of the faculties of the University, and all persons who at any time have occupied the office of Chancellor or Vice-Chancellor of the University or for the period of seven years have occupied the office of President of the University shall be *ex-officio members*. R.S.O. 1914, c. 279, s. 41 (a).

- (b) The faculties shall be entitled to representation as follows,— Representation of faculties in senate.

The Faculty of Arts of the University by the professors (not including associate or assistant professors) of the faculty, each of whom shall be a member of the Senate;

The Faculty of Medicine by five members thereof;

The Faculty of Applied Science and Engineering by five members thereof;

The Faculty of University College by three members thereof;

The Faculty of Arts of Victoria University by three members thereof;

The Faculty of Arts of Trinity College by three members thereof;

The Faculty of Arts of St. Michael's College by three members thereof;

The Faculty of Dentistry by four members thereof;

The Faculty of Arts of every university and arts college hereafter federated with the University by three members thereof; 1926, c. 68, s. 5 (1).

- (c) One member shall be appointed by each federated university, two members shall be appointed by each federated college, except St. Michael's College which shall appoint one member, one member shall be appointed by the Law Society of Upper Canada, one member by the Ontario Medical Council, one member by the Royal College of Dental Surgeons, and subject to any statute, one member shall be appointed by the governing body of every affiliated college which now is or shall hereafter be entitled to appoint a representative; Number of members to be appointed by federated universities and colleges, law society, medical council, dental college and affiliated colleges.

Election of
members by
graduates.

(d) Twelve members shall be elected by the graduates in Arts in the University, who at the time of graduation were enrolled in University College; five members shall be elected by the graduates in Arts and Science of Victoria University, and the graduates in Arts of the University, who at the time of graduation were enrolled in Victoria College; five members shall be elected by the graduates in Arts and Science of Trinity College, and the graduates in Arts of the University, who at the time of graduation were enrolled in Trinity College; five members shall be elected by the graduates in Medicine; four members shall be elected by the graduates in Applied Science and Engineering, and by such persons as hold the diploma of the School of Practical Science, or of the University; two members shall be elected by the graduates in Law; two members shall be elected by the graduates in Agriculture; and four members shall be elected by such persons as hold certificates as principals of collegiate institutes or high schools or assistants therein, and are actually engaged in teaching in a collegiate institute or a high school, and one member by such persons as hold certificates as principals of vocational schools or assistants therein and are actually engaged in teaching in a day vocational school. 1926, c. 68, s. 5 (2).

Appointment
of members
by graduates
not enrolled
in federated
colleges.

(i) Bachelors of Arts of the University who have not been enrolled in University College, or in a federated university or arts college, and Masters of Arts and Doctors of Philosophy of the University, whose bachelor's degree was obtained in another university, shall be entitled to appoint one member for each one hundred of such graduates, but in no case shall the number of representatives exceed two. 1926, c. 68, s. 5 (4).

Universities
hereafter fed-
erated, repre-
sentation of.

(e) A university hereafter federated with the University shall be entitled to be represented on the Senate in the proportion of one representative for every one hundred graduates in Arts, and for any fraction of one hundred over one-half the federated university shall be entitled to one additional representative; but in no case shall the number of such representatives exceed five. R.S.O. 1914, c. 279, s. 41 (e).

(i) The provisions of this clause shall govern in respect of the representation of the graduates in Arts of the University, who at the time of graduation were enrolled in St. Michael's College. 1926, c. 68, s. 5 (5).

(f) If and when any new faculty is established in the University, provision may be made by the Senate, Faculties hereafter established. subject to confirmation by the Board, for the representation on the Senate of the Faculty and of the graduates in such faculty. R.S.O. 1914, c. 279, s. 41 (f) ; 1926, c. 68, s. 6.

42. Members of the teaching staff of the University, of University College, of the federated universities, and of the federated and affiliated colleges, shall not be eligible for election by any of the graduate bodies. R.S.O. 1914, c. 279, s. 42. Members of teaching staffs not to be elected.

43. No person shall be eligible for election as Chancellor or for election or appointment as a member of the Senate unless he is a British subject and a resident of Ontario. R.S.O. 1914, c. 279, s. 43. Chancellor must be a British subject resident in Ontario.

44. The tenure of office of the elected and the appointed members of the Senate shall be for four years, and until their respective successors are elected or appointed. R.S.O. 1914, c. 279, s. 44. Tenure of office of Senate.

45. If an elected or appointed member of the Senate resigns, goes to reside out of Ontario, becomes insane or incapable of acting, or becomes a member of the teaching staff of any of the bodies mentioned in section 42, not being the body which he has been appointed to represent, his seat shall *ipso facto* become vacant, and a declaration of the existence of any vacancy entered upon the minutes of the Senate shall be conclusive evidence thereof. R.S.O. 1914, c. 279, s. 45. Vacancies in Senate.

46. If a vacancy occurs from any cause it shall be filled, in the case of an appointed member, by the body possessing the power of appointment, and in the case of a member elected by the graduates or by any class of graduates or by the principals of collegiate institutes and high schools and assistants therein, by the Senate, and the person appointed to fill the vacancy shall hold office for the remainder of the term of office of the member whose seat has become vacant. R.S.O. 1914, c. 279, s. 46. Filling vacancies in Senate.

47. If any question arises touching the election of the Chancellor or of any elective member of the Senate or the right of any person to be or sit or act as Chancellor or as a member of the Senate, the same shall not be raised or determined in or by any action or proceeding in any court, but shall be determined by the Senate, whose decision shall be final. R.S.O. 1914, c. 279, s. 47. Disputes as to election or right to sit.

Powers and
duties of
Senate.

48. In addition to such others as are expressly mentioned in this Act, the powers and duties of the Senate shall be to :

Regulating
proceedings.

(a) provide for the regulation and conduct of its proceedings, including the determining of the quorum necessary for the transaction of business ;

Degrees.

(b) provide for the granting of and grant degrees, including honorary degrees and certificates of proficiency, except in theology ;

Exhibitions,
etc.

(c) provide for the establishment of exhibitions, scholarships and prizes ;

Affiliation of
colleges.

(d) provide for the affiliation with the University of any college established in Canada for the promotion of Art or Science, or for instruction in Law, Medicine, Engineering, Agriculture or any other useful branch of learning, and for the dissolution of such affiliation, or of any existing affiliation, or the modification or alteration of the terms thereof ;

Cancelling or
suspending
degrees.

(e) provide for the cancellation, recall and suspension of the degree, whether heretofore or hereafter granted or conferred, of any graduate of the University heretofore or hereafter convicted in Ontario or elsewhere of an offence which, if committed in Canada, would be an indictable offence, or heretofore or hereafter guilty of any infamous or disgraceful conduct or of conduct unbecoming a graduate of the University ; for erasing the name of such graduate from the roll or register of graduates and for requiring the surrender for cancellation of the diplomas, certificate or other instrument evidencing the right of such graduate to the degree of which he shall have been deprived under the authority of any such statute ; and for providing the mode of inquiring into and determining as to the guilt of such graduate, and the procedure generally in respect of any such matter ;

Rev. Stat.
c. 20.

(i) For the purpose of making such inquiry the Senate and the committees thereof shall have all the powers which by *The Public Inquiries Act* may be conferred upon commissioners appointed under the provisions of that Act.

Establishment
of faculties,
departments,
etc.

(f) provide for the establishment of any faculty, department, chair or course of instruction in the University ;

- (g) provide for the establishment of any department, chair or course of instruction in University College in any subject except theology; Departments, etc., in University College.
- (h) appoint scrutineers for the counting of the votes for Chancellor and for elective members of the Senate; Scrutineers at elections.
- (i) consider and determine on the report of the respective faculty councils as to the courses of study in all the faculties; Considering reports of faculty councils.
- (j) consider and determine as to all courses of study to which clause (i) does not apply; Courses of study.
- (k) consider and determine on the report of the respective faculty councils as to the appointment of examiners, and the conduct and results of the examinations in all the faculties; Examiners and Examinations.
- (l) provide for the appointment of the examiners for and for the conduct of all University examinations other than those in the faculties of the University and for determining the results of such examinations; University examiners and examinations.
- (m) hear and determine appeals from decisions of the faculty councils upon applications and memorials by students and others; Appeals from faculty councils.
- (n) consider all such matters as shall be reported to it by the Council of any faculty, and communicate its opinion or action thereon to the Council; Reports from faculty councils.
- (o) provide for the representation on the Senate of any faculty hereafter established in the University, and of the graduates in such faculty, if, in the opinion of the Senate, provision should be made for separate representation of such graduates; Representation of new faculties on Senate.
- (p) provide for the preparation and publication of the Calendars, which shall include those of University College and the federated universities, or such of them as desire that their calendars shall be inserted therein; Calendars.
- (q) make rules and regulations for the management and conduct of the Library, and prescribe the duties of the Librarian; Library and librarian.
- (r) make such changes in the composition of the Senate as may be deemed expedient; Changing composition of Senate.
- (s) make such recommendations to the Board as may be deemed proper for promoting the interests of Recommendations to Board.

the University and University College, or for carrying out the objects and provisions of this Act. R.S.O. 1914, c. 279, s. 48.

Rights of federated universities as to Senate representation preserved.

49.—(1) Nothing in section 48 shall authorize the Senate to make any change in its composition which affects the rights of representation thereon of a federated university or the faculty of Arts thereof, or of a federated college, or of the graduates of a federated university, unless the same is assented to by the federated university or college affected by the change.

Senate may take initiative in changing courses of study.

(2) Nothing in this Act shall prevent the Senate from taking the initiative in determining as to any course of study or any change therein, but before passing any statute providing therefor the Senate shall refer to the appropriate faculty council the proposition under consideration for inquiry and report thereon. R.S.O. 1914, c. 279, s. 49.

Statutes of Senate as to certain matters to be subject to approval of Board.

50. A certified copy of every statute or other enactment of the Senate providing for any of the matters or things mentioned in section 48 and therein lettered (c), (d), (e), (f), (g), (i), (j), (o), (q) and (r) shall within ten days after the passing thereof, be transmitted to the Board, and no such statute or enactment shall have force or effect until it has been approved by the Board. R.S.O. 1914, c. 279, s. 50:

CONVOCATION.

Convocation, how composed.

51. Convocation shall consist of all the graduates of the University and of the federated universities. R.S.O. 1914, c. 279, s. 51.

Powers of convocation.

52. Convocation shall have power to

Regulations as to proceedings.

(a) make regulations for governing its proceedings and the mode of conducting the same, and keeping records thereof;

Appointment and duties of clerk.

(b) appoint a Clerk of Convocation, and prescribe his duties;

Presiding officer.

(c) in case of the absence of the Chancellor, elect a presiding officer for any meeting thereof;

Representations to Board and Senate.

(d) consider all questions affecting the interests and well-being of the University, and make representations thereon to the Board or to the Senate;

Fee of members.

(e) require a fee to be paid by the members as a condition of their being placed on the register of members, and provide that no member whose name does not appear in such register shall be entitled to take any part in the proceedings of Convocation;

- (f) appoint an Executive Committee and confer upon it such powers as may seem meet. R.S.O. 1914, c. 279, s. 52. Executive Committee.

53. Convocation shall meet when convened by the Chancellor, and also at such times and places as may be fixed by Convocation by regulation, and in the absence of such regulation, as may be fixed by Convocation or by the Executive Committee thereof, and the Board shall provide a suitable place for its meetings. R.S.O. 1914, c. 279, s. 53. Meetings of convocation.

54. Notice of all meetings shall be given in such manner as may be prescribed by Convocation by regulation, and in the absence of such regulation as may be directed by Convocation or by the Executive Committee. R.S.O. 1914, c. 279, s. 54. Notice of meetings.

55. A true copy of the minutes of the proceedings of every meeting of Convocation shall be transmitted without unnecessary delay to the Board and to the Senate. R.S.O. 1914, c. 279, s. 55. Transmission of minutes.

56. All questions shall be decided by the vote of the majority of the members present. R.S.O. 1914, c. 279, s. 56. Majority vote to decide.

57. The Chairman or presiding officer shall be entitled to vote as a member of Convocation, and any question on which there is an equality of votes shall be deemed to be negatived. R.S.O. 1914, c. 279, s. 57. Chairman may vote as member.

58. No question shall be decided at any meeting unless at least twenty-five members are present. R.S.O. 1914, c. 279, s. 58. Quorum.

59.—(1) If at least twenty-five members by writing under their hands, setting forth the objects thereof, require the Chairman to convene a special meeting of Convocation, the Chairman shall call the same without unnecessary delay. Special meetings—how called.

(2) No matter shall be considered at any such meeting except that for the consideration of which the meeting shall have been called. R.S.O. 1914, c. 279, s. 59. Special meeting to be confined to object.

60. There shall be a Chancellor of the University, who shall be elected by the graduates thereof and by such persons as hold the diploma of the School of Practical Science or of the University at the time and in the manner hereinafter mentioned. R.S.O. 1914, c. 279, s. 60; 1926, c. 68, s. 7. Chancellor.

61. The Chancellor shall be the Chairman of Convocation. R.S.O. 1914, c. 279, s. 61. Chancellor to be chairman of convocation.

Degrees to be conferred by chancellor or president.

62. All degrees shall be conferred by the Chancellor, or, in case of his absence, or of there being a vacancy in the office, by the President, or, in case of the absence of both of them, or of both offices being vacant, by a member of a faculty of the University, appointed for the purpose by the Senate. R.S.O. 1914, c. 279, s. 62.

Term of office.

63. The Chancellor shall hold office for four years, and until his successor is chosen. R.S.O. 1914, c. 279, s. 63.

Vacancy in office of chancellor.

64. If the Chancellor goes to reside out of Ontario or becomes insane or otherwise incapable of acting, he shall *ipso facto* vacate his office, and a declaration of the existence of such vacancy by the Senate entered upon its minutes shall be conclusive evidence thereof. R.S.O. 1914, c. 279, s. 64.

Filling vacancy.

65. In the case of a vacancy in the office of Chancellor before the term of office for which he was elected has expired, the vacancy shall be filled by the appointment by the Senate at a special meeting called for the purpose, of which at least thirty days' notice shall be given, of a successor who shall hold office for the remainder of the term for which the Chancellor was elected. R.S.O. 1914, c. 279, s. 65.

FACULTY COUNCILS.

Council of Faculty of Arts.

Composition of council.

66.—(1) There shall be a faculty council to be known as "The Council of the Faculty of Arts," which shall consist of the President of the University, the Principal of University College, the President or other head of every federated university or federated arts college, the Dean of the Faculty of Arts, the teaching staff in the Faculty of Arts of the University, the teaching staff of University College, the teaching staff in the Faculty of Arts of Victoria College, of Trinity College and of every other university or arts college hereafter federated with the University, one professor in the department of religious knowledge appointed by the theological faculty in each federated university now or hereafter federated, and one professor appointed by each of the federated colleges. R.S.O. 1914, c. 279, s. 66 (1); 1926, c. 68, s. 8.

(2) The lecturers and instructors whose appointments are temporary, shall not for the purpose of this section be deemed to be members of the teaching staff.

(3) The lecturers and instructors who are members of the Council shall act as assessors only, and shall not be entitled to vote. R.S.O. 1914, c. 279, s. 66 (2, 3).

Powers and duties of Arts council.

67.—(1) The powers and duties of the Council of the Faculty of Arts shall be to:

- (a) make rules and regulations for governing its proceedings, including the determining of the quorum necessary for the transaction of business; Regulating procedure.
- (b) subject to the provisions of this Act and to the approval of the Board make rules and regulations for the government, direction and management of the faculty and the affairs and business thereof; Management of the faculty.
- (c) fix and determine the courses of study in Arts, subject to the approval of the Senate; Courses of study.
- (d) subject to the approval of and confirmation by the Senate, appoint the examiners for and conduct the examinations of the Arts courses, and determine the results of such examinations; Examiners and examinations.
- (e) deal with and, subject to an appeal to the Senate, decide upon all applications and memorials by students or others in connection with the Faculty of Arts; Applications and memorials by students.
- (f) consider and report to the Senate upon such matters affecting the Faculty of Arts as to the Council may seem meet. Report to Senate.

(2) For the purposes of this section "The Faculty of Arts" shall mean and include the teaching bodies and persons mentioned in section 66. R.S.O. 1914, c. 279, s. 67. "Faculty of Arts," meaning of.

68. There shall also be a Council for every other faculty of the University now or hereafter established, and a Council for University College. R.S.O. 1914, c. 279, s. 68. Other councils.

69. The Council of University College shall consist of the Principal and the teaching staff thereof and the Councils of the other faculties shall consist of the respective teaching staffs thereof, except in the case of the Council of the Faculty of Education, which shall consist of the teaching staff thereof and the Superintendent of Education; but the Superintendent shall not vote on any question. R.S.O. 1914, c. 279, s. 69. Council of University College.

70. "Teaching staff" shall have the limited meaning given to it in the provisions of this Act relating to the Council of the Faculty of Arts, and the lecturers and instructors who are members of such Councils shall act as assessors only, and shall not be entitled to vote. R.S.O. 1914, c. 279, s. 70. "Teaching staff," meaning of.

71. The powers and duties of the Faculty Councils provided for by section 68 shall be to: Powers and duties of councils other than of Arts.

- (a) make rules and regulations for governing their proceedings, including the determining of the quorum necessary for the transaction of business; Regulating procedure.

Rules and regulations.

(b) subject to the provisions of this Act, and to the approval of the Board, make rules and regulations for the government, direction and management of their respective faculties and the affairs and business thereof;

Courses of study.

(c) fix and determine the courses of study in their respective faculties, subject to the approval of the Senate;

Examiners and examinations.

(d) subject to the approval of and confirmation by the Senate, appoint the examiners for and conduct the examinations of the courses in their respective faculties, and determine the results of such examinations;

Applications and memorials by students.

(e) deal with and, subject to an appeal to the Senate, decide upon all applications and memorials by students and others in connection with their respective faculties;

Report to Senate.

(f) consider and report to the Senate upon such matters affecting their respective faculties as to the Councils may seem meet. R.S.O. 1914, c. 279, s. 71.

Dean to be chairman of every faculty except Arts.

72. Except in the case of the Council of the Faculty of Arts, the Dean shall be Chairman of the Council of the Faculty of which he is Dean. R.S.O. 1914, c. 279, s. 72.

Council of University College, powers and duties.

73. The powers and duties of the Council of University College shall be to:

Regulating procedure.

(a) make rules and regulations for governing its proceedings, including the determining of the quorum necessary for the transaction of business;

Management of University College.

(b) subject to the provisions of this Act and to the approval of the Board, make rules and regulations for the government, direction and management of University College and the affairs and business thereof;

Examiners and examinations.

(c) appoint the examiners for and conduct the examinations of University College;

Report to Board and Senate.

(d) consider and report to the Board and to the Senate or to either of them upon such matters affecting University College as may seem meet. R.S.O. 1914, c. 279, s. 73.

Principal to be chairman of council.

74. The Principal of University College shall be the Chairman of the Council thereof. R.S.O. 1914, c. 279, s. 74.

~~75. The Librarian of the University shall be *ex officio* a~~ Librarian
~~member of all faculty councils and of the Council of Uni-~~ to be
~~versity College. R.S.O. 1914, c. 279, s. 75.~~ ex-officio mem-
 ber of councils

CAPUT.

76. Unless and until otherwise provided by the Board, "Caput," how
 there shall be a Committee to be called the Caput, which composed.
 shall be composed of the President of the University, who
 shall be the Chairman, the Principal of University College,
 the heads of the federated universities, the heads of the
 federated colleges and the Deans of the faculties of the
 University, and the presence of at least five of the members Quorum.
 shall be necessary to constitute a quorum for the transaction
 of business. R.S.O. 1914, c. 279, s. 76.

77. The powers and duties of the Caput shall be to:

Powers and
duties:

- (a) fix and determine the time tables for the lectures Time tables for
 and other instruction in the University which lectures, etc.
 affect more than one faculty, or which affect Uni-
 versity College, or a federated university or col-
 lege;
- (b) authorize such lecturing and teaching in the Uni- Authorizing
 versity by others than the duly appointed mem- lecturing and
 bers of the teaching staff thereof, and prevent teaching.
 all lecturing and teaching not so authorized;
- (c) exercise the powers as to discipline conferred upon Disciplinary
 it by sections 84 to 87; powers.
- (d) generally, deal with all such matters as may be Matters
 assigned to it by the Board or by the Senate, if in assigned
 the latter case such matters fall within the powers to caput by
 conferred upon the Senate by this Act. R.S.O. Board or
 1914, c. 279, s. 77. Senate.

78. A copy of every general rule or regulation made by Rules or regu-
 the Caput shall be transmitted to the Board, and no such lations to be
 general rule or regulation shall have any force or effect until approved by
 it has been approved by the Board. R.S.O. 1914, c. 279, s. 78. Board.

79. The Caput may advise the President in all matters Caput may ad-
 affecting the academic interest of the University, but the vise president.
 powers of the President shall not be subject to its control.
 R.S.O. 1914, c. 279, s. 79.

PRESIDENT, PRINCIPAL, REGISTRARS.

80.—(1) There shall be a President of the University who President of
 shall be the chief executive officer thereof, and shall have University.
 general supervision over and direction of the academic work

of the University, and the teaching staff thereof, and the officers and servants employed in or in connection with such work, including the Registrar of the University, and shall also have such other powers and perform such other duties as from time to time may be conferred upon or assigned to him by the Board.

To be a member of all faculty councils.

(2) He shall be a member of all faculty councils, and Chairman of the Council of the Faculty of Arts.

Chairman of Senate.

(3) He shall be Chairman of the Senate.

To confer degrees in absence of chancellor.

(4) In the absence of the Chancellor, he shall confer all degrees.

To call meetings of Council of Faculty of Arts.

(5) He shall call meetings of the Council of the Faculty of Arts in accordance with the regulations of the Council, and also when requested to do so by at least five members thereof.

Suspending members of staff.

(6) He shall have power to suspend any member of the teaching staff of the University and University College and any officer and servant mentioned in subsection 1 and when he exercises that power he shall forthwith report his action to the Board, with a statement of his reasons therefor.

Recommendations to Board as to appointments, etc.

(7) He shall make recommendations to the Board as to all appointments to and all promotions in, and removals from the teaching staff of the University, and University College, including the Principal, and of the officers and servants mentioned in subsection 1.

Summoning meetings of faculty councils.

(8) He shall have the right to summon meetings of any faculty council, and of the Council of University College, whenever he may deem it necessary to do so, and to take the chair at any meeting thereof at which he may be present.

Convening joint meeting of councils.

(9) He may also, at his discretion, convene joint meetings of all the faculty Councils and the Council of University College or any two or more of them.

Annual report to Board.

(10) He shall report annually to the Board and to the Senate upon the progress and efficiency of the academic work of the University and University College, and as to their progress and requirements, and make such recommendations thereon as he may deem necessary, and he shall also report upon any matter which may be referred to him by the Board or by the Senate.

Mention of express powers not to limit general powers

(11) The enumeration of the express powers mentioned in subsections 4 to 10, shall not limit the general powers conferred by subsection 1. R.S.O. 1914, c. 279, s. 80.

81.—(1) In case of his absence or illness the President may appoint a member of any faculty to act in his stead, and if there is a vacancy in the office of President, or if no appointment is made, the Board may appoint a member of any faculty to act *pro tempore*, and, failing an appointment, and until it is made, the Dean of the Faculty of Arts of the University shall act as President *pro tempore*. President may appoint a substitute in case of absence or illness.

(2) The person acting pursuant to any such appointment shall have and may exercise all the powers and shall perform all the duties of President, but not those as to appointments, promotions and removals unless requested by the Board to do so. R.S.O. 1914, c. 279, s. 81. Powers of President *pro tem*.

82.—(1) There shall be a principal of University College, who shall be the chief executive officer thereof, and shall have general supervision over and direction of the academic work of University College and the teaching staff thereof, and the officers and servants employed in or in connection with such work, including the Registrar of University College, and shall also have such other powers and perform such other duties as from time to time may be assigned to him by the Board. Principal of University College

(2) He shall be a member of the Council of the Faculty of Arts. To be a member of Faculty of Arts.

(3) He shall call meetings of the Council of University College in accordance with the regulations of the Council, and when requested to do so by at least five members thereof, and also whenever he may see fit. To call meetings of Council of University College.

(4) He shall have power to suspend any member of the teaching staff of University College, and any officer and servant mentioned in subsection 1, and when he exercises that power he shall forthwith report his action to the President with a statement of his reasons therefor. May suspend members of staff of College.

(5) He shall report annually to the Board and to the Senate upon the progress and efficiency of the academic work of University College, and as to its progress and requirements, and make such recommendations thereon as he may deem necessary and he shall also report upon any matter which may be referred to him by the Board or by the Senate, and his reports shall, in all cases, be made through the President. Annual report to Board and Senate.

(6) In case of the absence or illness of the Principal he may appoint a member of the teaching staff of University College to act for him and failing an appointment and until it is made by him, or if there is a vacancy in the office of Principal the senior member of the teaching staff of University College shall act as Principal *pro tempore*. R.S.O. 1914, c. 279, s. 82. Absence or vacancy in office of Principal.

Registrars for
University and
University
College.

83. There shall be a Registrar for the University and a Registrar for University College, and the offices shall not be held by the same person. R.S.O. 1914, c. 279, s. 83.

DISCIPLINE.

Disciplinary
jurisdiction of
governing
bodies.

84.—(1) The Council of University College, and the governing bodies of the federated universities and colleges, shall, respectively, have disciplinary jurisdiction over and entire responsibility for the conduct of their students in respect of all matters arising or occurring in or upon their respective college buildings and grounds, including residences.

Disciplinary
jurisdiction of
Faculty
councils.

(2) The councils of such of the faculties as shall have assigned for their separate use any building and grounds, including a residence, shall have disciplinary jurisdiction over and entire responsibility for the conduct of all students in their respective faculties in respect of all matters arising or occurring in or upon such building, or grounds.

Disciplinary
jurisdiction
of Caput.

(3) In all other cases, as respects all students to whatsoever college or faculty they belong, disciplinary jurisdiction shall be vested in the Caput, but the Caput may delegate its authority in any particular case or by general regulation to the council or other governing body of the university or college or faculty to which the student belongs. R.S.O. 1914, c. 279, s. 84.

Control of Col-
lege associa-
tions.

85. The Caput shall also have power and authority to determine by general regulation, or otherwise, to what college, faculty or other body the control of university associations belongs. R.S.O. 1914, c. 279, s. 85.

Deciding
questions of
jurisdiction.

86. If there is any question as to the proper body to exercise jurisdiction in any matter of discipline which may arise, the same shall be determined by the Caput, whose decision shall be final. R.S.O. 1914, c. 279, s. 86.

Power to im-
pose fines.

87. Disciplinary jurisdiction shall include the power to impose fines. R.S.O. 1914, c. 279, s. 87.

Power to abro-
gate or change
provisions as
to discipline.

88. As respects the conduct and discipline as students of the University of all students registered in the University to whatsoever college or faculty they belong and as respects all students enrolled in University College the provisions of sections 84 to 87 may be abrogated or changed by the Board. R.S.O. 1914, c. 279, s. 88.

ELECTIONS.

Quadrennial
elections of
Senate.

89. The elective members of the Senate shall be elected and the appointed members thereof shall be appointed quadrennially. R.S.O. 1914, c. 279, s. 89.

90.—(1) The Registrar of the University shall, after the fifteenth day of June, and before the fifteenth day of August in every year in which an election is to take place, prepare an alphabetical list to be called "The Election Register," of the names and known addresses of all graduates who are entitled to vote at such election. R.S.O. 1914, c. 279, s. 90.

(2) Where a card catalogue containing the names and known addresses of such graduates is kept, it shall not be necessary to prepare the alphabetical list mentioned in subsection 1. 1926, c. 68, s. 9.

91. The election register shall be posted up or the card catalogue shall be kept in a conspicuous place in the office of the Registrar not later than the fifteenth day of August in every such year, and shall be open to inspection by any graduate entitled to vote, at all reasonable hours. R.S.O. 1914, c. 279, s. 91; 1926, c. 68, s. 10.

92. No person whose name does not appear in the election register shall be entitled to vote at the election. R.S.O. 1914, c. 279, s. 92.

93. If from any cause the election register is not prepared at the time and in the manner provided by this Act, the Board shall make provision for the preparation of it, and all the provisions of this Act as to the election register, except those relating to time, shall apply to the election register so prepared. R.S.O. 1914, c. 279, s. 93.

94. For the purposes of all elections at which graduates of a federated university are entitled to vote, the Registrar of such University shall on or before the fifteenth day of June in each year in which an election at which such graduates are entitled to vote is to be held, furnish to the Registrar of the University a list of the names of all graduates of such federated university who are entitled to vote, with their post office addresses as far as the same are known. R.S.O. 1914, c. 279, s. 94.

95. The Department of Education shall, upon the application of the Registrar of the University, furnish him, on or before the first day of August in such year, with a list of all principals of and assistants in collegiate institutes and high schools who are actually engaged in teaching in a collegiate institute or high School, with their post office addresses as far as known. R.S.O. 1914, c. 279, s. 95.

96.—(1) The Registrar, in preparing the election register, shall make separate lists to conform to the various groups enumerated under section 41. R.S.O. 1914, c. 279, s. 96 (1); 1926, c. 68, s. 11.

Lists to be
voters' lists.

(2) Such lists shall be the voters' lists for the election. R.S.O. 1914, c. 279, s. 96 (2).

Complaints as
to errors and
omissions in
lists.

97. If any person whose name appears or ought to appear in any election register complains in writing to the Registrar of the University, not later than ten clear days before the second Wednesday of the month of September in the year in which the election is to be held, that his name or that of any person which ought to appear therein has been omitted from such register or of any error in such name as it appears therein, or that the name of any person whose name ought not to be entered in the register appears therein, the Registrar shall forthwith examine into the complaint, and after such notice as he may deem necessary to any person whose name is sought to be stricken from such register, rectify the error, if any, therein. R.S.O. 1914, c. 279, s. 97.

Appeal from
decision of
Registrar.

98. The decision of the Registrar shall be subject to appeal to the President of the University. R.S.O. 1914, c. 279, s. 98.

Nomination of
Chancellor.

99. No person shall be elected as Chancellor, or as a member of the Senate, unless he has been nominated as hereinafter mentioned, and every vote cast for any person not so nominated shall be void. R.S.O. 1914, c. 279, s. 99.

Nomination to
be in writing.

100. The nominations shall be in writing by a nomination paper, which shall be signed by at least ten of the persons entitled to vote at the election. R.S.O. 1914, c. 279, s. 100.

Delivery of
nomination
paper to Reg-
istrar.

101. The nomination paper shall be delivered at the office of the Registrar, or, if sent by mail, shall be received there not later than the first Wednesday in September of the year in which the election is to take place, and if not so delivered or received shall be invalid, and shall not be acted upon. R.S.O. 1914, c. 279, s. 101.

Refusal to
become a
candidate.

102. Any person nominated for the office of Chancellor or as a member of the Senate may refuse to become a candidate for the office for which he has been nominated and he shall be deemed not to have been nominated, and his name shall not be included in the list of candidates if he notifies the Registrar in writing of his refusal within four days, in which shall not be included a Sunday or other holiday, after the day upon which the time for nominations expired. R.S.O. 1914, c. 279, s. 102.

Election by
acclamation.

103. If one person only is nominated for the office of Chancellor within the time fixed for that purpose he shall be elected to and be entitled to hold that office. R.S.O. 1914, c. 279, s. 103.

104. If only such number of persons as are required to be elected as members of the Senate are nominated within the time fixed for that purpose the persons so nominated shall be elected to and be entitled to hold the offices for which they were respectively nominated. R.S.O. 1914, c. 279, s. 104. Election of Senate by acclamation.

105. The Registrar shall report to the Senate at its next meeting the results of the election. R.S.O. 1914, c. 279, s. 105. Report of result of election to Senate.

106. If a poll is necessary the Registrar shall on or before the second Wednesday in such month of September send by mail to every graduate who, according to the election register, is entitled to vote at the election, and whose place of residence is shown in such register, or is known to the Registrar, a voting paper, Form 1, together with a list of the persons whose term of office is expiring, and of all persons who have been nominated. R.S.O. 1914, c. 279, s. 106. Voting papers to be sent to graduates.

107. The votes shall be given by closed voting papers, which shall be delivered, or, if sent by mail, shall be received at the office of the Registrar not earlier than the second Wednesday of such month of September, and not later than the first Wednesday of October following, both days inclusive, and every voting paper which has not been furnished by the Registrar, or which is not so delivered or received shall be invalid, and shall not be counted. R.S.O. 1914, c. 279, s. 107. Votes, how given.

108. Two persons appointed by the Senate for that purpose, shall be the scrutineers; but, if the Senate does not at least two weeks previous to the time fixed for the counting of the votes appoint the scrutineers, the President shall make the appointment. R.S.O. 1914, c. 279, s. 108. Scrutineers.

109.—(1) The voting papers, upon the next day after the time for receiving them has expired, shall be opened by the Registrar, and such persons as may be appointed by the President to assist in the opening thereof, in the presence of the President and of the scrutineers, who shall examine and count the votes and keep a record thereof in a book to be provided for that purpose, and the opening of the voting papers and the counting and recording of the votes shall be continued from day to day until completed. Opening and counting votes.

(2) If the President is unable to be present, he shall appoint some person to act in his stead. R.S.O. 1914, c. 279, s. 109.

110. Any person entitled to vote at the election may be present at the opening of the voting papers and the counting and recording of the votes. R.S.O. 1914, c. 279, s. 110. Who may be present at count.

When voter gives more votes than entitled to.

111. If more than one name appears upon a voting paper for Chancellor the vote shall be invalid, and shall not be counted, and if more names than the number to be elected appear on a voting paper for members of the Senate the votes shall be counted as votes for the persons whose names appear thereon in consecutive order, beginning with the first until the required number is reached, and all other votes thereon shall be invalid, and shall not be counted. R.S.O. 1914, c. 279, s. 111.

Declaration of result.

112. Upon the completion of the scrutiny and counting of the votes the President or other person acting in his stead and the scrutineers shall declare the result of the election, setting forth the number of votes cast for every person who has been nominated, and shall, without delay, report the same in writing under their hands to the Senate. R.S.O. 1914, c. 279, s. 112.

Senate to have casting vote.

113. In case of an equality of the votes given for two or more persons for Chancellor or for a member or members of the Senate, which leaves the election undecided, the Senate shall, at its next meeting, give the casting vote or votes necessary to decide it. R.S.O. 1914, c. 279, s. 113.

Failure of election of representatives by any body entitled to elect.

114.—(1) If from any cause any election provided for by this Act is not held as hereinbefore provided, or if the full number of members which any body is entitled to elect is not elected, instead of an election being held, the Senate, at a special meeting called for that purpose, may appoint the number of members which such body has failed to elect.

(2) If the Senate should by resolution decline to appoint the members which any body has failed to elect, the board shall make provision for holding the election or an election of the number of members which such body has failed to elect, as the case may be, and fix the dates for the nominations and the other proceedings for taking, counting and recording the votes thereat and declaring the result thereof, and such proceedings shall, as far as may be practicable, be conformable with those provided by this Act. 1926, c. 68, s. 12.

Quorum of Senate.

115. Notwithstanding any vacancy in the membership of the Senate, however caused, as long as there are at least twenty members, it shall be competent for the Senate to exercise all or any of its powers. 1926, c. 68, s. 13.

COURSES OF INSTRUCTION, ATTENDANCE, FEES, ENROLLMENT.

Course of instruction in Arts.

116. The course of instruction in the Faculty of Arts shall be apportioned between the University and University College as follows:

(a) In the University instruction shall be given in University courses. Mathematics, Physics, Astronomy, Geology, Mineralogy, Chemistry, Biology, Physiology, History, Ethnology, Comparative Philology, Italian, Spanish, History of Philosophy, Psychology, Logic, Metaphysics, Education, Political Science, including Political Economy, Jurisprudence and Constitutional Law, and Constitutional History, and in such other subjects as, from time to time, may be determined by statute in that behalf.

(b) In University College instruction shall be given in University College courses. Greek, Latin, Ancient History, English, French, German, Oriental Languages and Ethics, and in such other subjects as may, from time to time, be determined by statute in that behalf, but not in theology. R.S.O. 1914, c. 279, s. 115.

117. The subjects of instruction assigned by section 116 to the University and University College, respectively, shall not be transferred from the one to the other except by the direction of the Board, and no such direction shall be made unless with the consent of the federated universities. Consent of federated universities required to transfer of subjects. R.S.O. 1914, c. 279, s. 116.

118.—(1) The curriculum in Arts of the University shall include the subjects of Biblical Greek, Biblical Literature, Christian Ethics, Apologetics, the Evidences of Natural and Revealed Religion and Church History, but any provision for examination and instruction in them shall be left to the voluntary action of the federated universities and colleges, and provision shall be made by a system of options to prevent such subjects being made compulsory upon any candidate for a degree. University curriculum in Arts to include certain theological subjects.

(2) The options shall be evenly distributed over each year of the general or pass course, and as far as practicable over each of the honour courses. Distribution of options over years of course. R.S.O. 1914, c. 279, s. 117.

119. The Board, with the consent of the federated universities, but not otherwise, may provide that attendance by a student enrolled in University College upon instruction in the subjects assigned to University College, or any of them, in any of the federated universities, shall be equivalent to attendance in University College, and that such attendance in University College by a student enrolled in a federated university shall be equivalent to attendance in such federated university, and may prescribe the terms and conditions upon which any such attendance upon instruction may take place. Attendance at lectures in federated universities. R.S.O. 1914, c. 279, s. 118.

Interchange of lectures with federated universities.

120. Save as otherwise provided by the Board, a professor, lecturer, or teacher of University College may give instruction at or to the students enrolled in any federated university in any of the subjects of instruction from time to time assigned to University College, and a professor, lecturer or teacher of any federated university may give instruction at or to the students enrolled in University College in any of such subjects, but the consent of the Principal of University College and of the federated university concerned and the approval of the Senate shall be first obtained. R.S.O. 1914, c. 279, s. 119.

Instruction in Arts to be free except as to certain fees.

121. Instruction in Arts in the University, except post-graduate instruction, shall be free to all regular matriculated students thereof who are enrolled in University College or in a federated university, and who enter their names with the Registrar of the University, but this provision shall not include exemption from laboratory fees, gymnasium fees, or fees for physical examination or instruction. R.S.O. 1914, c. 279, s. 120.

Minimum table of fees.

122. The table of fees, which on the 15th day of June, 1906, was in force for University College shall be the minimum table of fees for University College and for the Arts faculties of the federated universities, and no reduction shall be made in such minimum unless with the consent of the Board and of the federated universities. R.S.O. 1914, c. 279, s. 121.

Attendance on lectures as qualification to compete for exhibitions, etc.

123. Attendance upon instruction in University College or in St. Michael's College or in a federated university by a student enrolled therein shall entitle such student to present himself for any Arts examination in and to proceed to any degree in Arts of the University, and to compete for any exhibition, scholarship, prize or certificate of proficiency in Arts awarded or granted by the University in the same way and to the same extent as if he had attended upon such instruction in the University. R.S.O. 1914, c. 279, s. 122.

Federated colleges.

124. If and as far as may be sanctioned by the Senate and approved by the Board, the next preceding section shall apply to attendance by a student of a federated or affiliated college upon instruction therein. R.S.O. 1914, c. 279, s. 123.

University students in Arts, enrolment of.

125.—(1) All students proceeding to a degree in Arts in the University, unless in cases for which special provision is made to the contrary by statute of the Senate, shall be enrolled in the University College or in St. Michael's College or in a federated university.

(2) Subject to the statutes of the Senate, all students proceeding to a degree in any faculty of the University other than that of Arts unless in cases for which special provision is made to the contrary by statute of the Senate, shall be registered in the University and receive their instruction therein, except in the subjects in which by or under the authority of clause (b) of section 116 instruction is or may be provided for in University College, as to which it shall be sufficient if being a student enrolled in University College or in St. Michael's College or in a federated university he has received instruction therein.

Registration
of students.

(3) All occasional and graduate students shall also be registered in the University. R.S.O. 1914, c. 279, s. 124.

Occasional
and graduate
students.

126. Persons who have not received their instruction in the University, or in University College, or in a federated university or college, or in an affiliated college, may be admitted as candidates for examination for standing or for any degree, honour, scholarship or certificate of proficiency authorized to be granted or conferred by the University on such conditions as the Senate may, from time to time, determine. R.S.O. 1914, c. 279, s. 125.

Admission of
candidates not
students of
the Univer-
sity.

127.—(1) No student enrolled in University College or in a federated university or college or in an affiliated college shall be permitted to present himself for any university examination subsequent to that for matriculation without producing a certificate that he has complied with the requirements of such university or college affecting his admission to such examination.

Qualifications
of admission
to University
examinations.

(2) A student enrolled in an affiliated college may, subject to subsection 1 and to any statute of the Senate, present himself for any University examination subsequent to that for matriculation leading to a degree in that branch of learning in which instruction is given in such college, but such student shall not be entitled, unless by special permission of the Senate to present himself for any examination leading to a degree in Arts or in any other faculty of the University. R.S.O. 1914, c. 279, s. 126.

Students
enrolled in
affiliated
colleges.

128. Every graduate's diploma and student's certificate of standing, in addition to being signed by the proper authority of the University, shall indicate the federated university or college or affiliated college in which such student was enrolled at the time of his graduation or examination, and shall be signed by such professor, teacher or officer of the federated university or college or affiliated college as the governing body thereof may determine. R.S.O. 1914, c. 279, s. 127.

Diplomas, cer-
tificates, etc.,
to indicate
University
or College.

ANNUAL GRANTS.

Annual grant to University of portion of revenue from succession duties.

129.—(1) For the purpose of making provision for the maintenance and support of the University and University College, there shall be paid to the Board out of the Consolidated Revenue Fund yearly and every year a sum equal to fifty per centum of the average yearly gross receipts of the Province from succession duties, but such sum shall not exceed \$500,000 in any year. R.S.O. 1914, c. 279, s. 128 (1); 1914, c. 21, s. 64.

How payable.

(2) Such annual sums shall be paid in equal half-yearly instalments on the first day of July and the first day of January in each year, and the average yearly gross receipts from succession duties shall be determined by and be based upon the gross receipts from such duties of the three years ended on the 31st day of December next preceding the day on which the first instalment of the year is to be paid.

When amount of grant is in excess of annual expenditure.

(3) If in any year the amount payable to the Board under the provisions of subsections 1 and 2 exceeds the amount of the estimated expenditure for the maintenance and support of the University and University College for the academic year in respect of which such amount is payable, the Lieutenant-Governor in Council may direct that the excess shall be added to the permanent endowment of the University and University College or set apart by the Board as a contingent fund to provide for the event of the amount payable to the Board being in any future year or years insufficient to defray the cost of such maintenance and support; or that the same may be applied in expenditures on capital account; or be applied or dealt with wholly or in part in each or any of such ways; and may direct that, except in so far as such excess is not directed to be so applied or dealt with, the same shall not be paid to the Board and in every such case the sum which would otherwise be payable to the Board shall be reduced accordingly. R.S.O. 1914, c. 279, s. 128 (2, 3).

TRINITY COLLEGE.

Rights of Trinity College under federation agreement.

130.—(1) Nothing in this Act shall impair or prejudicially affect the rights of Trinity College under those provisions of the agreement made between the Trustees of the University of Toronto and Trinity College bearing the date the twenty-fifth day of August, 1903, which are set out in Schedule B, but such provisions shall continue binding on the University.

Arrangements for removal of Trinity College to Queen's Park.

(2) The Board may make such arrangement as it may deem expedient for facilitating the removal of Trinity College to Queen's Park, and to that end may agree to such modifications and alterations of the terms of such agreement, and may agree to such additional or substituted terms, financial or

otherwise, as to the Board may seem meet, but no such agreement shall have any force or effect until approved by the Lieutenant-Governor in Council, and when so approved it shall have the same force and effect as if the terms thereof had been embodied in this Act.

(3) In the event of its being necessary in order to carry out any agreement entered into under the provisions of subsection 2, that to enable Trinity College to remove its seat to a site on the University land in or near Queen's Park and to erect new buildings thereon a loan to be raised by Trinity College should be guaranteed by the Province the Lieutenant-Governor in Council for and in the name of the Province may guarantee the repayment of the loan in such form and upon and subject to such conditions and stipulations as to the nature and sufficiency of the security to be given for the loan, the safeguards which may be deemed necessary to protect the Province against loss and to ensure the repayment of principal and interest as the same become due and otherwise as to the Lieutenant-Governor in Council may seem meet.

Loan to Trinity may be guaranteed by Province.

(4) Trinity College may enter into any agreement which it may deem necessary for carrying out the purpose mentioned in subsection 2, and may make and execute all agreements, deeds and other instruments deemed necessary to carry into effect the provisions of any such agreement.

Trinity College authorized to enter into agreement as to removal.

(5) Trinity College may also borrow upon the security of its property, real and personal, or any part thereof, such sum of money as may be deemed requisite in order to carry out such removal, and the terms of any agreement so entered into, and may execute such deeds, bonds, debentures and other instruments necessary for the purposes of such security, and the money so borrowed may be repayable at such times and in such manner and bear such rate of interest as to Trinity College may seem meet. R.S.O. 1914, c. 279, s. 129.

Borrowing powers of Trinity College.

DEVONSHIRE PLACE.

131.—(1) The Board may stop up and close the highway in the City of Toronto called Devonshire Place, and if and when a statute for that purpose is passed by the Board and registered as hereinafter mentioned, the said highway shall be stopped up and closed and shall cease to be a highway, and the soil and freehold thereof shall be vested in the Board for the use of the University and University College.

Board may close Devonshire Place.

(2) The Board shall make to the owners and occupiers of and all persons interested in any of the lots fronting or abutting on the highway compensation for the damage or injury occasioned to such lots by the closing of the highway, and

Compensation to owners of adjoining lands.

the amount of such compensation shall be ascertained and determined in the manner provided for by clause (g) of section 31.

Registration of
statute closing
Devonshire
Place.

(3) The statute may be registered in the Registry Office for the City of Toronto, and for the purpose of such registration a duplicate original of the statute shall be made out and certified under the hand of the Bursar and the seal of the Board and shall be registered without any further proof. R.S.O. 1914, c. 279, s. 130.

Section 144 of 6 Edw. VII. c. 55 is not included in the consolidation, but is not repealed.

FEDERATED COLLEGES BECOMING COLLEGES OF THE UNIVERSITY.

When feder-
ated college
may become a
college of the
University

132. If where a college federated with the University has established or hereafter establishes a faculty of Arts in which instruction in the subjects of the course of study in Arts not being University subjects is provided and a statute of the Board has been or shall be passed declaring that it has so done, such college, so long as it maintains such faculty to the satisfaction of the Board, shall be known as and may be called a college of the University, and the teaching staff in such faculty shall have the same representation in the Council of the faculty of Arts as is by section 66 given to the teaching staffs of the federated universities, and the regular matriculated students of such college who are enrolled therein and enter their names with the Registrar of the University shall be entitled to the privileges which are by section 121 conferred upon the students mentioned therein. R.S.O. 1914, c. 279, s. 131.

SCHEDULE A.

FORM 1.

(Section 106.)

FORM OF VOTING PAPER.

UNIVERSITY OF TORONTO ELECTION.

19 .

I, _____ resident at _____ in the county
of _____ do hereby declare:

(1) That the signature subscribed hereunto is of my proper hand-writing.

(2) That I vote for the following person as Chancellor of the University of Toronto, viz., _____ of
in the _____ of

(3) That I vote for the following persons as members of the Senate of the University of Toronto, viz.,
of _____ in the _____ of
etc., etc.

(4) That I have not for the purpose of this election signed any other voting paper as a graduate of the Faculty of Arts (or of Medicine, or of Law, or of Applied Science and Engineering (or as the case may be) or as a Principal or Assistant in a Collegiate Institute, or a High School, as the case may be).

(5) That this voting paper was signed by me on the day of the date thereof.

(6) That I vote in my right as graduate of _____ University.
(or Principal of, or Assistant in a Collegiate Institute or a High School, as the case may be).

(7) (In the case of a Principal of, or Assistant in a Collegiate Institute or in a High School) That I am now actually engaged in teaching in a Collegiate Institute (or in a High School, as the case may be) viz., in the _____ at _____

Witness my hand this _____ day of _____ 19 _____
A. B.

R.S.O. 1914, c. 279, Sched. A.

SCHEDULE B.

(Section 130.)

Provisions of the agreement between the Trustees of the University of Toronto and Trinity College which are not to be affected by the Act.

"The parties of the second part shall be entitled to have lectures in the University subjects as defined by *The University Act, 1901*, delivered by the professors and other instructors of the University of Toronto at Trinity College in all subjects of the general or pass course, and as far as practicable in all subjects of the several honour courses, but it is hereby declared that it is not intended that there shall be any duplication of lectures or other instruction for the purposes of which scientific apparatus or other means of demonstration are required which are not provided by Trinity College, and which cannot be conveniently taken from the University buildings to Trinity College.

"All arrangements for such lectures, including the time table of lectures and the personnel of lecturers, shall be made in such manner as to afford to the students enrolled at Trinity College the same advantages in regard to the University lectures as are afforded to the students of the other Arts colleges, and the said arrangements shall be made in each year by the President of the University of Toronto and the Provost of Trinity College, and, in the event of their being unable to agree on any matter, the same shall be forthwith referred for final decision to such person as they may designate in writing under their hands, and, in the event of the President and the Provost being unable to agree upon such referee within one week after such disagreement on any matter as aforesaid, such referee shall be appointed by the Minister of Education, and a decision in writing of such referee, by whomsoever chosen, shall be final.

"The expenses connected with the duplication of lectures as aforesaid shall be assumed by the Government as a permanent charge on the provincial revenues in consideration of the suspension by Trinity College of its degree conferring powers, and of its surrender to the University of Toronto of all fees in connection with degrees other than those of Theology.

"A site to be agreed on between the said parties hereto in or near the Queen's Park, in the City of Toronto, on the lands vested in the parties of the first part, shall be reserved for the parties of the second part, on which they may erect at their own expense a building for the use of the students of Trinity College while attending lectures in the University buildings.

"Such site shall be occupied by the parties of the second part free of ground rent and all other charges so long as the federation of the universities continue, but, in the event of the withdrawal of the parties of the second part from federation the said building shall be purchased from the said parties of the second part by the said parties of the first part at a valuation to be determined by the arbitration of two indifferent persons to be appointed, one by each of the parties hereto, their successors or assigns, and this provision shall be deemed to be and shall be a submission under *The Arbitration Act*.

"Until the erection of such building students from Trinity College attending University lectures shall be allowed the use of some suitable rooms in one of the University buildings.

"Subsections 1 and 2 of section 43 of the said Act are hereby declared to be incorporated in and to form part of this agreement.

"The Senate of the University of Toronto shall enact such statutes as may be necessary to enable the University of Toronto to confer on undergraduates and graduates of Trinity College the degrees provided for by subsection 2 of section 3 of *The University Act, 1901*, which are now conferred by Trinity University.

"The examination for the said degrees shall be conducted by the University of Toronto through examiners nominated by the parties of the second part, and the said degrees shall be conferred by the University of Toronto upon the report of the said examiners.

"All students of Trinity Medical College who have not matriculated at the date of the issue of the proclamation of the federation of the two universities shall be allowed two years from that date to matriculate in the University of Trinity College under the regulations in force at the date of federation."

R.S.O. 1914, c. 279, Sched. B.

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ONTARIO PRESS, LIMITED,
Printers and Publishers,
Toronto.

CHAPTER 279.

An Act respecting the University of Toronto.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

INTERPRETATION AND GENERAL PROVISIONS.

1. This Act may be cited as *The University Act*, 6 Edw. Short title. VII. c. 55, s. 1.

2. In this Act,

Interpretation.

(a) "Appointed members" shall mean the members of the Board appointed by the Lieutenant-Governor in Council; ^{"Appointed members."}

(b) "Board" shall mean Governors of the University of Toronto; ^{"The Board."}

(c) "College" shall include a school or other institution of learning; ^{"College."}

(d) "Head," when it refers to the head of a federated university or of a federated college, shall mean the person who is or is certified by the governing body of such university or college to be the head thereof; ^{"Head."}

(e) "Property" shall include real property and all other property of every nature and kind; ^{"Property."}

(f) "Real property" shall include messuages, lands, tenements and hereditaments whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein; ^{"Real property."}

(g) "Teaching staff" shall include professors, associate professors, lecturers, instructors, demonstrators and all others engaged in the work of teaching or giving instruction; ^{"Teaching staff."}

(h) "Trinity College" shall mean Trinity College established and incorporated by the Act passed in the 14th and 15th years of the reign of Her late Majesty, Queen Victoria, chaptered 32, and as constituted a University by Royal Charter bearing date the sixteenth day of July, 1853; ^{"Trinity College."}

"The University."

(i) "University" shall mean University of Toronto.
6 Edw. VII. c. 55, s. 2.

University,
University Col-
lege, Faculties,
etc., continued.

3. The Provincial University, known as the University of Toronto, the Provincial College, known as University College, the Senate, Convocation, the several faculties of the University and the Faculty of University College, are and each of them is hereby continued, and, subject to the provisions of this Act, shall respectively have, hold, possess and enjoy all the property, rights, powers and privileges which they respectively now have, hold, possess or enjoy. 6 Edw. VII. c. 55, s. 3.

Appointments,
statutes and
regulations,
continued.

4. All appointments in and statutes and regulations affecting the University and University College and each of them shall continue, subject to the provisions of this Act, and subject also, as to the teaching staff, and all officers, servants and employees, to their removal by the Board. 6 Edw. VII. c. 55, s. 4.

Proclamation
changing name
of University.

5.—(1) If and when a proclamation to that effect is issued by the Lieutenant-Governor in Council, the name of the University shall be changed to and the University shall be known as "The University of Ontario" from and after such date as shall be named in the proclamation for the change taking effect.

When procla-
mation may be
issued.

(2) The proclamation shall not be issued unless and until a statute of the Senate approving of the change has been passed by the vote of at least three-fourths of the members thereof present at a meeting called for the purpose of considering the question of making such change and unless and until the change has been sanctioned by the Board. 6 Edw. VII. c. 55, s. 5.

School of Prac-
tical Science to
mean Faculty
of Applied
Science, etc.

6.—(1) Whenever in any Act or document reference is made to the School of Practical Science, the same shall apply and extend to the Faculty of Applied Science and Engineering.

Money ex-
pended by
board in main-
tenance of
such faculty.

(2) All money expended by the Board in the maintenance of the faculty shall for the purposes and within the meaning of the agreement bearing date the second day of March, 1889, between Her late Majesty, Queen Victoria, and the Corporation of the City of Toronto, be deemed to be money expended by "Her Majesty and Her Successors acting by and through the Executive Council of the Province of Ontario." 6 Edw. VII. c. 55, s. 6, *part*.

FEDERATED AND AFFILIATED INSTITUTIONS.

Universities
and colleges,
federated or
affiliated.

7.—(1) Every university and every college federated with the University and every college affiliated with the University shall continue to be so federated or affiliated, subject to any statute in that behalf and to this Act.

(2) A college affiliated with a federated university at the time of its federation with the University, whether heretofore or hereafter entered into, shall be deemed to be affiliated with the University. Colleges affiliated with federated University.

(3) The following are declared to be the universities federated with the University, that is to say, Victoria University and Trinity College. Victoria and Trinity.

(4) The following are declared to be the colleges federated with the University, that is to say, Knox College, Wycliffe College and St. Michael's College. Knox, Wycliffe and St. Michael's. 6 Edw. VII. c. 55, s. 7 (1-4).

(5) The following are declared to be the colleges affiliated with the University, that is to say: Albert College, The Ontario Agricultural College, The Ontario Medical College for Women, The Royal College of Dental Surgeons, The Toronto College of Music, The Ontario College of Pharmacy, The Toronto Conservatory of Music, The Hamilton Conservatory of Music, The Columbian Methodist College, and The Ontario Veterinary College; The Ontario Ladies' College and Alma College, which are affiliated with the University by reason of their having been affiliated with Victoria University when that University became federated with the University, and St. Hilda's College, which is affiliated with the University by reason of its having been affiliated with Trinity College when Trinity College became federated with the University. 6 Edw. VII. c. 55, s. 7 (5); 3-4 Geo. V. c. 74, s. 1. Amended p. 55
Affiliated colleges.

(6) A college affiliated with the University since the 15th day of April, 1901, or hereafter affiliated with it shall not be entitled to representation on the Senate unless so declared by statute. Affiliated colleges, when to be represented in Senate.

(7) The Senate may remove from federation or affiliation with the University any college, now or hereafter federated or affiliated with it, which becomes an integral part of or federates or affiliates with any other university which has and exercises the powers of conferring any degrees other than those in theology. Removal of college from federation or affiliation.

(8) If and when any university now or hereafter federated with the University ceases to be federated with it, every college which is affiliated with the University by reason only of its having been affiliated with such federated university shall thereupon and thereafter cease to be affiliated with the University, but shall retain the same relation with the federated university with which it was affiliated as existed when such federated university became federated with the University. 6 Edw. VII. c. 55, s. 7 (6-8). Colleges affiliated with federated university to cease to be affiliated with university on dissolution of federation.

(9) The Arts faculties of Victoria University, Trinity College and St. Michael's College in their relation to the Arts faculties of Victoria, Trinity and St. Michael's.

University shall be known as and may be called colleges of the University bearing respectively as such colleges the names Victoria College, Trinity College and St. Michael's College. 6 Edw. VII. c. 55, s. 7 (9).

Admission of
universities to
federation.

8.—(1) When any University in Ontario determines to surrender its degree-conferring powers, except the power of conferring degrees in theology, and notifies the Board of such determination, the Board may by statute declare such university to be federated with the University on and from a day to be named in the statute, and thereupon and thereafter the power of such federated university to confer degrees, except in theology, shall be suspended.

Publication of
statute.

(2) Every such statute shall be published forthwith after the passing thereof in the *Ontario Gazette*.

Suspension of
degree-conferring
powers
during federation.

Proviso.

(3) The power and authority of conferring degrees, except in theology, of any university now or hereafter federated with the University shall be suspended and in abeyance, but may be resumed by such federated university if three years have elapsed from the date when its federation with the University took effect, and if after the lapse of such three years one year's notice in writing of its intention to resume its degree-conferring powers has been given to the Board; and such federated university shall cease to be federated with the University at and after the expiry of the last mentioned period.

Notice of
dissolution of
federation.

(4) Notice that any such federated university has ceased to be federated with the University and the date when it ceased to be so federated shall be published in the *Ontario Gazette*.

Rights of
graduates and
undergraduates
of federated
university.

(5) The graduates and undergraduates in Arts, Science and Law of a federated university and such graduates and undergraduates thereof in Medicine as have passed their examinations in Ontario, so long as such federation continues, shall have and enjoy the same degrees, honours and status in the University as they held and enjoyed in the federated university. 6 Edw. VII. c. 55, s. 8.

Religious tests,
etc., not
required.

9.—(1) No religious test shall be required of any professor, lecturer, teacher, officer or servant of the University or of University College, or of any student thereof or therein, nor shall religious observances according to the forms of any religious denomination or sect be imposed on them or any of them, but the Board may make regulations touching the moral conduct of the students thereof and therein and their attendance on public worship in their respective churches or other places of religious worship and their religious instruction by their respective ministers, according to their respective forms of religious faith, and every requisite facility shall be afforded for such purposes, but attendance on such forms

Moral and
religious
training.

of religious observance shall not be compulsory on any student attending the University or University College.

(2) Nothing in this section shall interfere with the right of a federated university or college to make such provision in regard to religious instruction and religious worship for its own students as it may deem proper, and to require the same to be observed as a part of its own discipline. Rights of federated universities and colleges as to religion.
6 Edw. VII. c. 55, s. 9.

PROPERTY.

10.—(1) Separate accounts of the proceeds of the sales of the lands set apart for the use of the University and University College or either of them by the Act passed in the 60th year of the reign of Her late Majesty, Queen Victoria, chaptered 59, and by the Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 36, as amended by the Act passed in the 5th year of the same reign, chaptered 36, and by the Act passed in the last mentioned year chaptered 37, shall continue to be kept by the proper officers and departments and yearly accounts thereof to be furnished to the Board, as provided in those Acts, and all money derived from such sales shall be paid to the Board free from all charges or deductions for management or otherwise. Accounts of proceeds of sales of lands set apart for University and University College.

(2) The repeal of the Acts and parts of Acts mentioned in subsection 1 shall not affect or impair the right of the University and University College or either of them to have the lands mentioned therein set apart in accordance with and subject to the provisions thereof. 6 Edw. VII. c. 55, s. 10. Rights of university as to such lands preserved.

(3) The annual grant of \$7,000, provided for by the first mentioned Act, shall continue to be paid to the Board as provided therein, and the same shall form a charge upon and be paid from time to time out of the Consolidated Revenue Fund. 6 Edw. VII. c. 55, s. 11. Annual grant of \$7,000 continued.

11. All property heretofore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the University and University College or either of them or of any faculty or department thereof or otherwise in connection therewith, subject always to the trust affecting the same, shall be vested in the Board. 6 Edw. VII. c. 55, s. 12. Property vested in trustees transferred to Board.

12. The land demised to the Corporation of the City of Toronto for the purpose of a park under the authority of section 66 of chapter 62 of the Consolidated Statutes of Upper Canada shall, so long as the lease remains in force, form part of the City of Toronto and the residue of the land adjacent to the park which is vested in the Board, shall be Queen's Park.

subject to the police regulations of the corporation and the council thereof and except as herein otherwise provided to the by-laws thereof. 6 Edw. VII. c. 55, s. 14.

Application of
statute of
limitations as
to property.

13. All real property vested in the Board shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 6 Edw. VII. c. 55, s. 15.

Former dedi-
cation to
university not
to affect status
of lands as
Crown lands.

14. The dedication heretofore by the Crown for any purpose of any real property held for the purposes of the University and University College or either of them has not taken away from such real property any rights or privileges which it enjoyed as Crown lands or prejudicially affected the same, but all such rights and privileges remain in full force and effect. 6 Edw. VII. c. 55, s. 16.

Land vested
in Board not
liable to expro-
priation.

15.—(1) The real property vested in the Board shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose; and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Nor land
vested in the
other bodies.

(2) Subsection 1 shall apply to real property owned by or vested in any university or college federated with the University. 6 Edw. VII. c. 55, s. 17.

Exemption of
property from
taxation.

16.—(1) The property real and personal vested in the Board shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation; but except as mentioned in subsection 2 the interest of every lessee and occupant of real property vested in the Board shall be liable to taxation.

Lessees, etc.,
liable.

Lessees or
occupants of
certain land
exempted.

(2) The liability to taxation of the interest of a lessee or occupant mentioned in this section shall not extend to the interest of a lessee or occupant being a member of the teaching staff or an officer or servant of the University or of University College who, or being an association of under-graduates or an incorporated society of under-graduates or of graduates and under-graduates which, is the lessee or occupant of any part of the property commonly known as the University Park, composed of the north halves of Park lots numbers eleven, twelve and thirteen in the first concession from the Bay, in the Township of York, now in the City of Toronto, and including that part of park lot number fourteen in the first concession, described in a conveyance to Her late Majesty Queen Victoria, registered as number 8654R in the registry office of the eastern division of the City of Toronto, but the interest of every such lessee or occupant shall be exempt from taxation.

(3) Those parts of the lots mentioned in subsection 2 which are now or hereafter may be owned, leased or occupied by any federated university or federated college for the purposes of such university or college shall also be exempt from taxation in the same way and to the same extent as the real property vested in the Board is by subsection 1 exempted from taxation. 6 Edw. VII. c. 55, s. 18.

17. Any person with the approval of the Board may, under and subject to such terms and conditions as he may prescribe, endow a chair or found a scholarship in the University or University College, or aid the University and University College and each of them by providing an endowment for any other purpose or object in connection therewith. 6 Edw. VII. c. 55, s. 19.

BOARD OF GOVERNORS.

18. The Board of Governors of the University and University College is continued as a body corporate by the name and style of "The Governors of the University of Toronto," and shall have in addition to the rights, powers and privileges mentioned in section 27 of *The Interpretation Act*, the power to take and hold real property for the purposes of the University and of University College without license in mortmain. 6 Edw. VII. c. 55, ss. 20 and 21.

19. The Board shall consist of the Chancellor and the President of the University, who shall be *ex officio* members, and twenty-two persons appointed by the Lieutenant-Governor in Council. 6 Edw. VII. c. 55, s. 24; 3-4 Geo. V. c. 74, s. 3.

20. No person shall be eligible for appointment as a member of the Board unless he is a British subject, and a resident of Ontario. 6 Edw. VII. c. 55, s. 25.

21. One of the members of the Board shall be appointed by the Lieutenant-Governor in Council to be its Chairman. 6 Edw. VII. c. 55, s. 26.

22.—(1) The Board may appoint one of its members to be Vice-Chairman, and in case of the absence or illness of the Chairman, or of there being a vacancy in the office of Chairman, the Vice-Chairman shall act as and have all the powers of the Chairman.

(2) In case of the absence or illness of the Chairman, and the Vice-Chairman, the Board may appoint one of its members to act as Chairman *pro tempore* and the member so appointed shall act as and have all the powers of the Chairman.

Validity of
their acts.

(3) All acts which lawfully might have been done by the Chairman, when done by the acting Vice-Chairman, or by a Chairman *pro tempore* shall be conclusively deemed to have been lawfully done, and it shall not be necessary to prove that any of the causes mentioned in subsection 1 for the Vice-Chairman acting, or that any of the causes mentioned in subsection 2 for the appointment of a Chairman *pro tempore* in fact existed. 7 Edw. VII. c. 53, s. 2.

Quorum.

23. Unless and until otherwise provided by the Board, seven members shall constitute a quorum. 6 Edw. VII. c. 55, s. 28.

Ten members
may exercise
powers.

24. Notwithstanding any vacancy in the Board, as long as there are at least ten members it shall be competent for the Board to exercise all or any of its powers. 6 Edw. VII. c. 55, s. 29.

Term of office.

25. The appointed members of the Board shall hold office for six years, and until their successors are appointed. 6 Edw. VII. c. 55, s. 30, 31.

Members may
be re-appointed

26. An appointed member of the Board shall be eligible for re-appointment. 6 Edw. VII. c. 55, s. 32.

Removal from
office.

27. An appointed member of the Board may be removed by the Lieutenant-Governor in Council. 6 Edw. VII. c. 55, s. 33.

Heads of
federated
universities,
etc., ineligible

28.—(1) The head of University College, the head of a federated university, or of a federated or an affiliated college, a member of the teaching staff of the University, of University College, of a federated university, or of a federated or affiliated college, shall not be eligible to be appointed as a member of the Board. 6 Edw. VII. c. 55, s. 34.

Vacancies.

(2) If a member of the Board, after his appointment, accepts or occupies any of such offices or positions, or goes to reside out of Ontario, or becomes insane or otherwise incapable of acting as a member, he shall *ipso facto* vacate his office, and a declaration of the existence of such vacancy entered upon the minutes of the Board shall be conclusive evidence thereof. 6 Edw. VII. c. 55, s. 35.

Filling
vacancies.

29. Where a vacancy on the Board happens before the term of office for which a member has been appointed has expired, the vacancy shall be filled by the appointment by the Lieutenant-Governor in Council of a successor, who shall hold office for the remainder of the term. 6 Edw. VII. c. 55, s. 36.

Government,
etc., of Univer-
sity vested in
Board.

30. The government, conduct, management and control of the University and of University College, and of the property, revenues, business and affairs thereof, shall be vested in the Board. 6 Edw. VII. c. 55, s. 37.

31.—(1) In order to enable the Board to provide for the purchase of such land, and the erection of such buildings as from time to time may be necessary for the purposes of the University and University College, including additions to, improvements of, and equipment for buildings now or hereafter erected, the Board may from time to time borrow such sums, not exceeding in the whole \$2,000,000, as may be necessary for such purposes, and may make and execute such instruments as may be deemed requisite for securing payment of the sums so borrowed, and the interest thereon.

Borrowing
powers of
Board

(2) The sums so borrowed and the interest thereon shall stand and be charged upon all the property vested in, and the revenues and income of the Board, and it shall not be necessary that any formal instrument declaring such charge shall be executed or registered.

Money borrow-
ed to be
charge on
property.

(3) The power of borrowing hereby conferred shall not be exercised unless with the approval of the Lieutenant-Governor in Council, who may prescribe the terms and conditions on which from time to time the power shall be exercised and the money borrowed, and the nature of the securities to be given by the Board for the repayment of the money borrowed and of the interest thereon, which may be bonds, debentures, terminable annuities or such other form of security as the Lieutenant-Governor in Council may direct or authorize.

Approval of
Lieutenant-
Governor in
Council.

(4) The power of borrowing hereby conferred shall be a continuing one, and shall include the power of reborrowing, but the amount of the principal money at any time owing shall not exceed in the whole \$2,000,000.

Borrowing
powers exer-
cisable from
time to time.

(5) The Lieutenant-Governor in Council for and in the name of the Province of Ontario may guarantee the securities for all sums borrowed by the Board under the authority of this section, and the performance of the stipulations on its part contained in such securities.

Lieutenant-
Governor in
Council may
guarantee
loans.

(6) The form and manner of the guaranty shall be determined by the Lieutenant-Governor in Council and the guaranty shall be signed by the Treasurer of Ontario or by such officer or person as shall be designated for that purpose by the Lieutenant-Governor in Council.

Form of
guaranty.

(7) Every guaranty so signed shall be binding on the Province and the purchaser of any security so guaranteed shall not be bound to inquire into the authority of the officer or person signing the guaranty. 7 Edw. VII. c. 53, ss. 5-10.

32. Without thereby limiting the general powers by this Act conferred upon or vested in the Board, it is declared that the Board shall have power to

Powers of
Board.

(a) make rules and regulations pertaining to the meetings of the Board and its transactions, for fixing

Conduct of
proceedings.

the quorum of the Board, and for the appointment of such committees as it may deem necessary, and for conferring upon any of such committees power and authority to act for the Board in and in relation to such matters as the Board may deem it expedient to delegate to a committee with power to act for the Board;

Appointment
of President,
Deans, Profes-
sors, etc.

(b) appoint the President of the University, the Principal of University College, the Deans of all the faculties, the Librarian, the Bursar, the Registrar of the University, the Registrar of University College, the professors, teachers and instructors of and in the University and in University College, and all such officers, clerks, employees and servants as the Board may deem necessary for the purposes of the University and University College or either of them, and fix their salaries or remuneration, and define their duties, except those of the Librarian, and their tenure of office or employment, which, unless otherwise provided, shall be during the pleasure of the Board;

Appointments
to be approved
by the
President.

(i) No person shall be appointed as Principal of University College, or as a Dean of any faculty, or as a member of the teaching staff of the University, or of any faculty thereof or of University College, unless he has been first nominated by the President of the University and no Dean of a faculty or member of the teaching staff of the University or of any faculty thereof, or of University College, shall be promoted, and no principal of University College or Dean of a faculty or member of such teaching staff shall be removed from office except upon the recommendation of the President of the University, but this provision shall not apply where there is a vacancy in the office of President.

Removals.

Superannua-
tion and
retirement.

(c) make regulations respecting and provide for the retirement and superannuation of any of the persons mentioned in ~~subsection 2~~, or the payment of a gratuity to any of them upon retirement, and provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the money of the Board or by contributions from such persons, or partly by both;

Clause b
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Investments.

(d) subject to the limitations imposed by any trust as to the same, invest all such money as shall come to the hands of the Board, and is not required to be expended for any purpose to which it law-

fully may be applied, in such manner as to the Board may seem meet;

- (e) purchase, take and hold by gift or devise real property for the purposes of the University and University College, or either of them, without license in mortmain; Acquiring and holding real property.
- (i) Every person shall have the unrestricted right to devise and bequeath property, real and personal, for the purposes of the University and University College, or either of them, to the Board, or otherwise for such purposes.
- (f) purchase and acquire all such property as the Board may deem necessary for the purposes of the University and University College, or either of them; Acquiring other property.
- (i) The power conferred by this paragraph shall include that of purchasing the interest of a lessee in any real property vested in the Board which is under lease. 6 Edw. VII. c. 55, s. 39 (1-6).
- (g) without the consent of the owner or of any person interested therein enter upon, take, use and expropriate all such real property as the Board may deem necessary for the purposes of the University and University College, or either of them, or of any other university or college federated with the University at the cost and expense of such federated university or college, making due compensation for any such real property to the owners and occupiers thereof, and all persons having any interest therein; 6 Edw. VII. c. 55, s. 39 (7); 10 Edw. VII. c. 26, s. 15. Expropriation of lands.
- (i) The provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation, shall *mutatis mutandis* apply to the Board, and to the exercise by it of the powers conferred by this paragraph, and where any act is by any of such provisions required to be done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the Bursar of the University, or at his office, as the case may be. 6 Edw. VII. c. 55, s. 39 (8); 3-4 Geo. V. c. 74, s. 4. Rev. Stat. c. 192.
- (h) acquire, hold, maintain and keep in proper order and condition such real property as the Board may deem necessary for the use of the students Acquiring and maintaining real property for athletic purposes.

of the University and University College, and each of them, for athletic purposes, and erect and maintain such buildings and structures thereon as it may deem necessary;

Physical
training.

- (i) make such regulations and provide such means for the physical examination, instruction and training of the students of the University and University College as to the Board may seem meet;

Selling and
leasing lands.

- (j) sell any of the real property vested in the Board or lease the same for any period not exceeding twenty-one years to commence in possession, with such right of renewal and under and subject to such rents, covenants, agreements and conditions as to the Board may seem meet;

Expenditure of
funds in main-
tenance and
improvements.

- (k) lay out and expend such sums as the Board may deem necessary for the support and maintenance of the University and University College, and each of them, and for the betterment of existing buildings, and the erection of such new buildings as the Board may deem necessary for the use or purposes of the University and University College, and of each of them, and for the furnishing and equipment of such existing and newly erected buildings;

Residences and
dining halls,
etc.

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- (l) lay out and expend such sums as the Board may deem necessary for the erection, equipment, furnishing and maintenance of residences and dining halls for the use of the students of the University and University College, and of each of them, whether such students are graduates or undergraduates, and acquire and take over from any corporation any rights and powers possessed by it in respect of University residences and any property vested in it, on such terms as may be agreed on between such corporation and the Board;

- (i) Such corporation may enter into and carry out any agreement for such purposes, and upon the agreement being completed such corporation shall, if so provided by the terms of the agreement, be dissolved, and its rights, powers and property be vested in the Board.

Control of resi-
dences, etc.

- (m) make such rules and regulations as may to the Board seem meet for the management, government and control of such residences and dining halls;

Establishing
faculties, de-
partments, etc.

- (n) establish such faculties, departments, chairs and courses of instruction in the University, and such

departments, chairs and courses of instruction in University College in any subject except theology, as to the Board may seem meet;

- (o) provide for the federation with the University of Federation of colleges. any college established in Ontario for the promotion of Art or Science, or for instruction in Law, Medicine, Engineering, Agriculture or any other useful branch of learning, on such terms as to representation on the Senate, and otherwise, as to the Board may seem meet, and enter into any agreement which may be deemed necessary to effectuate such federation;
- (p) provide for the affiliation with the University of Affiliation of colleges. any college established in Canada for the promotion of Art or Science, or for instruction in Law, Medicine, Engineering, Agriculture or any other useful branch of learning, on such terms as to representation on the Senate and otherwise as to the Board may seem meet, and enter into any agreement which may be deemed necessary to effectuate such affiliation;
- (q) provide for the dissolution of any such affiliation Dissolution of affiliation. or of any existing affiliation or for the modification or alteration of the terms thereof;
- (r) fix the fees to be paid for post-graduate instruction, Fees. and for instruction in the faculties of medicine and applied science and engineering, and in any other faculty hereafter established, the fees to be paid by regular and occasional students in the University and in University College for enrolment therein, the library fees, the laboratory fees, the gymnasium fees, the fees for physical examination and instruction, and the fees for examinations, degrees and certificates, and when a federated college by arrangement with the proper authorities teaches any part of the course in Arts, make such a reduction in the fees, payable by the students so taught in such college as to the Board may seem reasonable;
- (s) enter into such arrangements with the governing Arrangements with secondary and primary schools. body of any secondary or primary school as the Board may deem necessary for the purpose of or in connection with the academic work of the University or of any faculty or department thereof;
- (i) The governing body of any such school which is a collegiate institute, a high school, a technical school or public or separate school, may, with the approval of the Lieutenant-

Governor in Council, make such arrangements with the Board. 6 Edw. VII. c. 55, s. 39 (9-20); and

- (t) establish, erect, equip, maintain and conduct such primary and secondary schools as may be deemed requisite for the purpose of practice and observation or otherwise for or in connection with the Faculty of Education, and fix the fees to be paid for instruction in such schools. 7 Edw. VII. c. 53, s. 3.

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Alterations to
constitution.

(u)
33. The Board may modify, alter and change the constitution of any body constituted or continued by this Act, except the Senate, and create such new bodies as may be deemed necessary for the purpose of carrying out the objects and provisions of this Act, and also confer upon the bodies constituted or continued by this Act, or any or either of them, and upon any new body hereafter constituted, such powers as to the Board may seem meet, but nothing herein shall authorize any abridgement of the powers conferred upon the Senate by section 48. 6 Edw. VII. c. 55, s. 40.

Committee of
students.

34.—(1) The Board may make provision for enabling the students of the University, University College and the federated universities and federated colleges to appoint a representative committee of themselves to be chosen in such manner as shall be approved by the Board, which shall be the recognized official medium of communication on behalf of such students between them and the Board.

Right to make
communications.

(2) The committee shall have the right to make communications through the President of the University to the Board upon any subject in which they are or may deem themselves to be interested.

Saving
individual
rights.

(3) Nothing herein shall take away or impair the right of any student of or in the University or University College to make complaint to the governing bodies thereof or to the Board in respect of any matter as to which he is or may deem himself to be entitled to complain; but every such complaint shall be transmitted through the President to the Board or to the proper governing body, as the case may be, and in no other manner.

Saving control
of federated
bodies.

(4) Nothing in this section shall impair or affect the right of control which any federated university or college possesses over its students. 6 Edw. VII. c. 55, s. 41.

Endowment
not to be im-
paired without
consent of
Government.

35.—(1) The Board shall not incur any liability or make any expenditure which has the effect of impairing the endowment of the University and University College, or any addition to such endowment hereafter made, unless an estimate therefor has been first made and approved by the Lieutenant-Governor in Council.

(2) In this section "endowment" shall mean and include the real property vested in the Board, the proceeds of any part thereof sold, and the money invested in mortgages or other securities. "Endowment," meaning of.

36. The Board shall not incur any liability or make any expenditure for the purchase of land or the erection of buildings unless the same can be met and is provided for out of the income of the year, or is sanctioned by the Lieutenant-Governor in Council. 6 Edw. VII. c. 55, s. 42. Restriction as to expenditure.

37. Save as in this Act otherwise expressly provided, the action of the Board in any matter with which it may deal shall be by resolution or by statute, as the Board may determine, but it shall not be essential to the validity of any such resolution or statute that it be under the corporate seal of the Board if it is authenticated in the manner prescribed by the Board. 6 Edw. VII. c. 55, s. 43. Action of Board by resolution or of statute.

38.—(1) The accounts of the Board shall be audited at least once a year by the Provincial Auditor, or by some person appointed by the Lieutenant-Governor in Council for that purpose. Accounts of Board, audit of.

(2) The Board shall make an annual report of its transactions to the Lieutenant-Governor in Council, in which shall be set forth in detail the receipts and expenditures for the year ended on the next preceding thirtieth day of June, and of the investments as they stood at the end of such year, and such other particulars as the Lieutenant-Governor in Council may from time to time require. 6 Edw. VII. c. 55, s. 44 (1) (2). Annual report to Government.

(3) The report shall be transmitted to the Provincial Secretary on or before the first day of December next after the close of the year for which it is made, and shall be laid before the Assembly forthwith if the Assembly is then in session or if it is not then in session, within ten days after the commencement of the next session. 6 Edw. VII. c. 55, s. 44 (3); 3-4 Geo. V. c. 74, s. 5. When report to be transmitted.

39. Without the written consent of the Attorney-General no action shall be brought against the Board or against any member of it on account of anything done or omitted by him in the execution of his office. 6 Edw. VII. c. 55, s. 45. Consent of Attorney-General to actions against Board.

40. If any question arises as to the powers or duties of the Council of University College, of the council of any faculty, of the Caput, of the President, of the Principal of University College, or of any officer or servant of the University or of University College, the same shall be settled and determined by the Board, whose decision shall be final. 6 Edw. VII. c. 55, s. 46. Powers of Board as to deciding questions as to powers and duties.

THE SENATE.

Senate, how
composed.

41. The Senate of the University shall be composed as follows:

Chancellor
and heads of
colleges, etc.

- (a) The Chancellor of the University, the Chairman of the Board, the President of the University, the Principal of University College, the President or other head of every federated university and federated college, the Deans of the faculties of the University, and all persons who at any time have occupied the office of Chancellor or Vice-Chancellor of the University or for the period of seven years have occupied the office of President of the University shall be *ex-officio* members. 6 Edw. VII. c. 55, s. 47 (1); 7 Edw. VII. c. 52, s. 4.

Faculties,
representa-
tion of.

- (b) The Faculties shall be entitled to representation as follows:

The Faculty of Arts of the University by the professors (not including associate professors) of the faculty, each of whom shall be a member of the Senate;

The Faculty of Medicine by five members;

The Faculty of Applied Science and Engineering by five members;

The Faculty of University College by three members;

The Faculty of Arts of Victoria University by three members;

The Faculty of Arts of Trinity College by three members; and

The Faculty of Arts of every university hereafter federated with the University by three members;

- (i) The representatives of the Faculties of the University, except of the Faculty of Arts, and the representatives of the Faculty of University College and of the Faculties of Arts of the federated universities shall be chosen by the members thereof.

Federated
universities
and colleges,
law society
and affiliated
colleges repre-
sentation of.

- (c) One member shall be appointed by each federated university, two members shall be appointed by each federated college, one member shall be appointed by the Law Society of Upper Canada, and subject to any statute, one member shall be appointed by the governing body of every affiliated college which now is or shall hereafter be entitled to appoint a representative;

Graduates,
representa-
tion of.

- (d) Twelve members shall be elected by the graduates in Arts in the University who at the time of graduation were enrolled in University College; five members shall be elected by the graduates in

Amended
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Arts and Science of Victoria University and the graduates in Arts of the University who at the time of graduation were enrolled in Victoria College; five members shall be elected by the graduates in Arts and Science of Trinity College and the graduates in Arts of the University who at the time of graduation were enrolled in Trinity College; four members shall be elected by the graduates in Medicine; two members shall be elected by the graduates in Applied Science and Engineering; two members shall be elected by the graduates in Law; two members shall be elected by the graduates in Agriculture; and four members shall be elected by such persons as hold certificates as principals of collegiate institutes or high schools or assistants therein, and are actually engaged in teaching in a collegiate institute or a high school;

- (e) A university hereafter federated with the University shall be entitled to be represented on the Senate in the proportion of one representative for every one hundred graduates in Arts, and for any fraction of one hundred over one-half the federated university shall be entitled to one additional representative; but in no case shall the number of such representatives exceed five;
- (f) If and when any new faculty is established in the University, provision may be made by the Senate, subject to confirmation by the Board, for the representation on the Senate of the graduates in such faculty; 6 Edw. VII. c. 55, s. 47 (2-6).

amended p58

Universities hereafter federated, representation of.

amended p58

Faculties hereafter established.

42. Members of the teaching staff of the University, of University College, of the federated universities, and of the federated and affiliated colleges, shall not be eligible for election by any of the graduate bodies. 6 Edw. VII. c. 55, s. 48.

Members of teaching staffs not to be elected.

43. No person shall be eligible for election as Chancellor or for election or appointment as a member of the Senate unless he is a British subject and a resident of Ontario. 6 Edw. VII. c. 55, s. 49.

Chancellor must be a British subject, resident in Ontario.

44. The tenure of office of the elected and the appointed members of the Senate shall be for four years, and until their respective successors are elected or appointed. 6 Edw. VII. c. 55, s. 50.

Tenure of office of Senate. *p45*

45. If an elected or appointed member of the Senate resigns, goes to reside out of Ontario, becomes insane or incapable of acting, or becomes a member of the teaching staff of any of the bodies mentioned in section 42, not being

Vacancies in Senate.

the body which he has been appointed to represent, his seat shall *ipso facto* become vacant, and a declaration of the existence of any vacancy entered upon the minutes of the Senate shall be conclusive evidence thereof. 6 Edw. VII. c. 55, s. 51.

Filling vacancies in Senate.

46. If a vacancy occurs from any cause it shall be filled, in the case of an appointed member, by the body possessing the power of appointment, and in the case of a member elected by the graduates or by any class of graduates or by the principals of collegiate institutes and high schools and assistants therein, by the Senate, and the person appointed to fill the vacancy shall hold office for the remainder of the term of office of the member whose seat has become vacant. 6 Edw. VII. c. 55, s. 52.

Disputes as to election or right to sit.

47. If any question arises touching the election of the Chancellor or of any elective member of the Senate or the right of any person to be or sit or act as Chancellor or as a member of the Senate, the same shall not be raised or determined in or by any action or proceeding in any court, but shall be determined by the Senate, whose decision shall be final. 6 Edw. VII. c. 55, s. 53.

Powers and duties of Senate.

48. In addition to such others as are expressly mentioned in this Act, the powers and duties of the Senate shall be to:

Regulating proceedings.

(a) provide for the regulation and conduct of its proceedings, including the determining of the quorum necessary for the transaction of business;

Degrees.

(b) provide for the granting of and grant degrees, including honorary degrees and certificates of proficiency, except in theology;

Exhibitions, etc.

(c) provide for the establishment of exhibitions, scholarships and prizes;

Affiliation of colleges.

(d) provide for the affiliation with the University of any college established in Canada for the promotion of Art or Science, or for instruction in Law, Medicine, Engineering, Agriculture or any other useful branch of learning, and for the dissolution of such affiliation, or of any existing affiliation, or the modification or alteration of the terms thereof;

Cancelling or suspending degrees.

(e) provide for the cancellation, recall and suspension of the degree, whether heretofore or hereafter granted or conferred, of any graduate of the University heretofore or hereafter convicted in Ontario or elsewhere of an offence which, if committed in Canada, would be an indictable offence, or heretofore or hereafter guilty of any infamous or disgraceful conduct or of conduct unbecoming

a graduate of the University; for erasing the name of such graduate from the roll or register of graduates and for requiring the surrender for cancellation of the diploma, certificate or other instrument evidencing the right of such graduate to the degree of which he shall have been deprived under the authority of any such statute; and for providing the mode of inquiring into and determining as to the guilt of such graduate, and the procedure generally in respect of any such matter;

- (i) For the purpose of making such inquiry the Senate and the committees thereof shall have all the powers which by *The Public Inquiries Act* may be conferred upon commissioners appointed under the provisions of that Act. Rev. Stat. c. 18.
- (f) provide for the establishment of any faculty, department, chair or course of instruction in the University; Establishment of faculties departments, etc.
- (g) provide for the establishment of any department, chair or course of instruction in University College in any subject except theology; Department's, etc., in University College.
- (h) appoint scrutineers for the counting of the votes for Chancellor and for elective members of the Senate; Scrutineers at elections.
- (i) consider and determine on the report of the respective faculty councils as to the courses of study in all the faculties; Considering reports of faculty councils.
- (j) consider and determine as to all courses of study to which paragraph (i) does not apply; Courses of study.
- (k) consider and determine on the report of the respective faculty councils as to the appointment of examiners, and the conduct and results of the examinations in all the faculties; Examiners and Examinations.
- (l) provide for the appointment of the examiners for and for the conduct of all University examinations other than those in the faculties of the University and for determining the results of such examinations; University examiners and examinations.
- (m) hear and determine appeals from decisions of the faculty councils upon applications and memorials by students and others; Appeals from faculty councils.
- (n) consider all such matters as shall be reported to it by the Council of any faculty, and communicate its opinion or action thereon to the Council; Reports from faculty councils.

Representation
of new facul-
ties on Senate.

- (o) provide for the representation on the Senate of any faculty hereafter established in the University, and of the graduates in such faculty, if, in the opinion of the Senate, provision should be made for separate representation of such graduates;

Calendars.

- (p) provide for the preparation and publication of the Calendars, which shall include those of University College and the federated universities, or such of them as desire that their calendars shall be inserted therein;

Library and
librarian.

- (q) make rules and regulations for the management and conduct of the Library, and prescribe the duties of the Librarian;

Changing com-
position of
Senate.

- (r) make such changes in the composition of the Senate as may be deemed expedient;

Recommendations
to Board.

- (s) make such recommendations to the Board as may be deemed proper for promoting the interests of the University and University College, or for carrying out the objects and provisions of this Act. 6 Edw. VII. c. 55, s. 54.

Rights of feder-
ated universi-
ties as to Senate
representation
preserved.

49.—(1) Nothing in section 48 shall authorize the Senate to make any change in its composition which affects the rights of representation thereon of a federated university or the faculty of Arts thereof, or of a federated college, or of the graduates of a federated university, unless the same is assented to by the federated university or college affected by the change.

Senate may
take initiative
in changing
courses of
study.

(2) Nothing in this Act shall prevent the Senate from taking the initiative in determining as to any course of study or any change therein, but before passing any statute providing therefor the Senate shall refer to the appropriate faculty council the proposition under consideration for inquiry and report thereon. 6 Edw. VII. c. 55, s. 55.

Statutes of
Senate as to
certain matters
to be subject
to approval of
Board.

50. A certified copy of every statute or other enactment of the Senate providing for any of the matters or things mentioned in section 48 and therein numbered (c), (d), (e), (f), (g), (i), (j), (o), (q) and (r) shall within ten days after the passing thereof, be transmitted to the Board, and no such statute or enactment shall have force or effect until it has been approved by the Board. 6 Edw. VII. c. 55, s. 56.

CONVOCATION.

Convocation, —
how composed.

51. Convocation shall consist of all the graduates of the University and of the federated universities. 6 Edw. VII. c. 55, s. 57.

Powers of
convocation.

52. Convocation shall have power to

- (a) make regulations for governing its proceedings and the mode of conducting the same, and keeping records thereof; Regulations as to proceedings.
- (b) appoint a Clerk of Convocation, and prescribe his duties; Appointment and duties of clerk.
- (c) in case of the absence of the chancellor, elect a presiding officer for any meeting thereof; Presiding officer.
- (d) consider all questions affecting the interests and well-being of the University, and make representations thereon to the Board or to the Senate; Representations to Board and Senate.
- (e) require a fee to be paid by the members as a condition of their being placed on the register of members, and provide that no member whose name does not appear in such register shall be entitled to take any part in the proceedings of Convocation; Fee of members.
- (f) appoint an Executive Committee and confer upon it such powers as may seem meet. 6 Edw. VII. c. 55, s. 58. Executive Committee.

53. Convocation shall meet when convened by the Chancellor, and also at such times and places as may be fixed by Convocation by regulation, and in the absence of such regulation, as may be fixed by Convocation or by the Executive Committee thereof, and the Board shall provide a suitable place for its meetings. 6 Edw. VII. c. 55, s. 59. Meetings of convocation.

54. Notice of all meetings shall be given in such manner as may be prescribed by Convocation by regulation, and in the absence of such regulation as may be directed by Convocation or by the Executive Committee. 6 Edw. VII. c. 55, s. 60. Notice of meetings.

55. A true copy of the minutes of the proceedings of every meeting of Convocation shall be transmitted without unnecessary delay to the Board and to the Senate. 6 Edw. VII. c. 55, s. 61. Transmission of minutes.

56. All questions shall be decided by the vote of the majority of the members present. 6 Edw. VII. c. 55, s. 62. Majority vote to decide.

57. The Chairman or presiding officer shall be entitled to vote as a member of Convocation, and any question on which there is an equality of votes shall be deemed to be negatived. 6 Edw. VII. c. 55, s. 63. Chairman may vote as member.

58. No question shall be decided at any meeting unless at least twenty-five members are present. 6 Edw. VII. c. 55, s. 64. Quorum.

Special meet-
ings.—how
called.

59.—(1) If at least twenty-five members by writing under their hands, setting forth the objects thereof, require the Chairman to convene a special meeting of Convocation, the Chairman shall call the same without unnecessary delay. 6 Edw. VII. c. 55, s. 65.

Special meet-
ing to be con-
fined to object.

(2) No matter shall be considered at any such meeting except that for the consideration of which the meeting shall have been called. 6 Edw. VII. c. 55, s. 66.

Chancellor.

amended
P 58
60. There shall be a Chancellor of the University, who shall be elected by the graduates thereof at the time and in the manner hereinafter mentioned. 6 Edw. VII. c. 55, s. 67.

Chancellor to
be chairman of
convocation.

61. The Chancellor shall be the Chairman of Convocation. 6 Edw. VII. c. 55, s. 68.

Degrees to be
conferred by
chancellor or
president.

62. All degrees shall be conferred by the Chancellor, or, in case of his absence, or of there being a vacancy in the office, by the President, or, in case of the absence of both of them, or of both offices being vacant, by a member of a faculty of the University, appointed for the purpose by the Senate. 6 Edw. VII. c. 55, s. 69.

Term of office.

63. The Chancellor shall hold office for four years, and until his successor is chosen. 6 Edw. VII. c. 55, s. 70.

Vacancy in
office of
chancellor.

64. If the Chancellor goes to reside out of Ontario or becomes insane or otherwise incapable of acting, he shall *ipso facto* vacate his office, and a declaration of the existence of such vacancy by the Senate entered upon its minutes shall be conclusive evidence thereof. 6 Edw. VII. c. 55, s. 71.

Filling
vacancy.

65. In the case of a vacancy in the office of Chancellor before the term of office for which he was elected has expired, the vacancy shall be filled by the appointment by the Senate at a special meeting called for the purpose, of which at least thirty days' notice shall be given, of a successor who shall hold office for the remainder of the term for which the Chancellor was elected. 6 Edw. VII. c. 55, s. 72.

FACULTY COUNCILS.

Council of
Faculty of
Arts.

Composition of
council.

amended
P 58
66.—(1) There shall be a faculty council to be known as "The Council of the Faculty of Arts," which shall consist of the the President of the University, the Principal of University College, the President or other head of every federated university, the Dean of the Faculty of Arts, the teaching staff in the Faculty of Arts of the University, the teaching staff of University College, the teaching staff in the Faculty of Arts of Victoria College, of Trinity College and of every other university hereafter federated with the University, one professor in the department of

religious knowledge appointed by the theological faculty in each federated university now or hereafter federated, and one professor appointed by each of the federated colleges.

(2) The lecturers and instructors whose appointments are temporary, shall not for the purpose of this section be deemed to be members of the teaching staff.

(3) The lecturers and instructors who are members of the Council shall act as assessors only, and shall not be entitled to vote. 6 Edw. VII c. 55, s. 73, 74.

67.—(1) The powers and duties of the Council of the Faculty of Arts shall be to: Powers and duties of Arts council.

(a) make rules and regulations for governing its proceedings, including the determining of the quorum necessary for the transaction of business; 6 Edw. VII. c. 55, s. 75, *part*. Regulating procedure.

(b) subject to the provisions of this Act and to the approval of the Board make rules and regulations for the government, direction and management of the faculty and the affairs and business thereof; 3-4 Geo. V. c. 74, s. 6. Management of the faculty.

(c) fix and determine the courses of study in Arts, subject to the approval of the Senate; Courses of study.

(d) subject to the approval of and confirmation by the Senate, appoint the examiners for and conduct the examinations of the Arts courses, and determine the results of such examinations; Examiners and examinations.

(e) deal with and, subject to an appeal to the Senate, decide upon all applications and memorials by students or others in connection with the Faculty of Arts; Applications and memorials by students.

(f) consider and report to the Senate upon such matters affecting the Faculty of Arts as to the Council may seem meet. Report to Senate.

(2) For the purposes of this section "The Faculty of Arts" shall mean and include the teaching bodies and persons mentioned in section 66. 6 Edw. VII. c. 55, s. 75, *part*. "Faculty of Arts," meaning of.

68. There shall also be a Council for every other faculty of the University now or hereafter established, and a Council for University College. 6 Edw. VII. c. 55, s. 76. Other councils.

69. The Council of University College shall consist of the Principal and the teaching staff thereof and the Councils of the other faculties shall consist of the respective teaching staffs thereof, except in the case of the Council of the Faculty of Education, which shall consist of the teaching staff thereof Council of University College.

and the Superintendent of Education; but the Superintendent shall not vote on any question. 6 Edw. VII. c. 55, s. 77; 9 Edw. VII. c. 95, s. 1.

"Teaching staff," meaning of.

70. "Teaching staff" shall have the limited meaning given to it in the provisions of this Act relating to the Council of the Faculty of Arts, and the lecturers and instructors who are members of such Councils shall act as assessors only, and shall not be entitled to vote. 6 Edw. VII. c. 55, s. 78.

Powers and duties of councils other than of Arts.

71. The powers and duties of the Faculty Councils provided for by section 68 shall be to:

Regulating procedure.

(a) make rules and regulations for governing their proceedings, including the determining of the quorum necessary for the transaction of business;

Rules and regulations.

(b) subject to the provisions of this Act, and to the approval of the Board, make rules and regulations for the government, direction and management of their respective faculties and the affairs and business thereof;

Courses of study.

(c) fix and determine the courses of study in their respective faculties, subject to the approval of the Senate;

Examiners and examinations.

(d) subject to the approval of and confirmation by the Senate, appoint the examiners for and conduct the examinations of the courses in their respective faculties, and determine the results of such examinations;

Applications and memorials by students.

(e) deal with and, subject to an appeal to the Senate, decide upon all applications and memorials by students and others in connection with their respective faculties;

Report to Senate.

(f) consider and report to the Senate upon such matters affecting their respective faculties as to the Councils may seem meet. 6 Edw. VII. c. 55, s. 79.

Dean to be chairman of every faculty except Arts.

72. Except in the case of the Council of the Faculty of Arts, the Dean shall be Chairman of the Council of the Faculty of which he is Dean. 6 Edw. VII. c. 55, s. 80.

Council of University College, powers and duties.

73. The powers and duties of the Council of University College shall be to:

Regulating procedure.

(a) make rules and regulations for governing its proceedings, including the determining of the quorum necessary for the transaction of business;

Management of University College.

(b) subject to the provisions of this Act and to the approval of the Board, make rules and regulations for the government, direction and manage-

ment of University College and the affairs and business thereof;

(c) appoint the examiners for and conduct the ex-^{Examiners and examinations.}aminations of University College;

(d) consider and report to the Board and to the Senate^{Report to Board and Senate.} or to either of them upon such matters affecting University College as may seem meet. 6 Edw. VII. c. 55, s. 81.

74. The Principal of University College shall be the Chair-^{Principal to be chairman of council.}man of the Council thereof. 6 Edw. VII. c. 55, s. 82.

75. The Librarian of the University shall be *ex officio* a^{Librarian to be ex-officio member of councils.} member of all faculty councils and of the Council of University College. 6 Edw. VII. c. 55, s. 83.

CAPUT.

76. Unless and until otherwise provided by the Board,^{"Caput," how composed.} there shall be a Committee to be called the Caput, which shall be composed of the President of the University, who shall be the Chairman, the Principal of University College, the heads of the federated universities, the heads of the federated colleges and the Deans of the faculties of the University, and the presence of at least five of the members shall be necessary to constitute a quorum for the transaction^{Quorum.} of business. 6 Edw. VII. c. 55, s. 84.

77. The powers and duties of the Caput shall be to: ^{Powers and duties.}

(a) fix and determine the time tables for the lectures and other instruction in the University which affect more than one faculty, or which affect University College, or a federated university or college; ^{Time tables for lectures, etc.}

(b) authorize such lecturing and teaching in the University by others than the duly appointed members of the teaching staff thereof, and prevent all lecturing and teaching not so authorized; ^{Authorizing lecturing and teaching.}

(c) exercise the powers as to discipline conferred upon it by sections 84 to 87; ^{Disciplinary powers.}

(d) generally, deal with all such matters as may be assigned to it by the Board or by the Senate, if in the latter case such matters fall within the powers conferred upon the Senate by this Act. 6 Edw. VII. c. 55, s. 85. ^{Matters assigned to caput by Board or Senate.}

78. A copy of every general rule or regulation made by the Caput shall be transmitted to the Board, and no such general rule or regulation shall have any force or effect until it has been approved by the Board. 6 Edw. VII. c. 55, s. 86. ^{Rules or regulations to be approved by Board.}

Caput may advise president.

79. The Caput may advise the President in all matters affecting the academic interests of the University, but the powers of the President shall not be subject to its control. 6 Edw. VII. c. 55, s. 87.

PRESIDENT, PRINCIPAL, REGISTRARS.

President of University.

80.—(1) There shall be a President of the University who shall be the chief executive officer thereof, and shall have general supervision over and direction of the academic work of the University, and the teaching staff thereof, and the officers and servants employed in or in connection with such work, including the Registrar of the University, and shall also have such other powers and perform such other duties as from time to time may be conferred upon or assigned to him by the Board.

To be a member of all faculty councils.

(2) He shall be a member of all faculty councils, and Chairman of the Council of the Faculty of Arts.

Chairman of Senate.

(3) He shall be Chairman of the Senate.

To confer degrees in absence of chancellor.

(4) In the absence of the Chancellor, he shall confer all degrees.

To call meetings of Council of Faculty of Arts.

(5) He shall call meetings of the Council of the Faculty of Arts in accordance with the regulations of the Council, and also when requested to do so by at least five members thereof.

Suspending members of staff.

(6) He shall have power to suspend any member of the teaching staff of the University and University College and any officer and servant mentioned in subsection 1 and when he exercises that power he shall forthwith report his action to the Board, with a statement of his reasons therefor.

Recommendations to Board as to appointments, etc.

(7) He shall make recommendations to the Board as to all appointments to and all promotions in, and removals from the teaching staff of the University, and University College, including the Principal, and of the officers and servants mentioned in subsection 1.

Summoning meetings of faculty councils.

(8) He shall have the right to summon meetings of any faculty council, and of the Council of University College, whenever he may deem it necessary to do so, and to take the chair at any meeting thereof at which he may be present.

Convening joint meeting of councils.

(9) He may also, at his discretion, convene joint meetings of all the faculty Councils and the Council of University College or any two or more of them.

Annual report to Board.

(10) He shall report annually to the Board and to the Senate upon the progress and efficiency of the academic work of the University and University College, and as to their progress and requirements, and make such recommenda-

tions thereon as he may deem necessary, and he shall also report upon any matter which may be referred to him by the Board or by the Senate.

(11) The enumeration of the express powers mentioned in subsections 4 to 10, shall not limit the general powers conferred by subsection 1. 6 Edw. VII. c. 55, s. 88.

Mention of express powers not to limit general powers.

81.—(1) In case of his absence or illness the President may appoint a member of any faculty to act in his stead, and if there is a vacancy in the office of President, or if no appointment is made, the Board may appoint a member of any faculty to act *pro tempore*, and, failing an appointment, and until it is made, the Dean of the Faculty of Arts of the University shall act as President *pro tempore*. 6 Edw. VII. c. 55, s. 89.

President may appoint a substitute in case of absence or illness.

(2) The person acting pursuant to any such appointment shall have and may exercise all the powers and shall perform all the duties of President, but not those as to appointments, promotions and removals unless requested by the Board to do so. 6 Edw. VII. c. 55, s. 90.

Powers of President *pro tem*.

82.—(1) There shall be a principal of University College, who shall be the chief executive officer thereof, and shall have general supervision over and direction of the academic work of University College and the teaching staff thereof, and the officers and servants employed in or in connection with such work, including the Registrar of University College, and shall also have such other powers and perform such other duties as from time to time may be assigned to him by the Board.

Principal of University College.

(2) He shall be a member of the Council of the Faculty of Arts.

To be a member of Faculty of Arts.

(3) He shall call meetings of the Council of University College in accordance with the regulations of the Council, and when requested to do so by at least five members thereof, and also whenever he may see fit.

To call meetings of Council of University College.

(4) He shall have power to suspend any member of the teaching staff of University College, and any officer and servant mentioned in subsection 1, and when he exercises that power he shall forthwith report his action to the President with a statement of his reasons therefor.

May suspend members of staff of College.

(5) He shall report annually to the Board and to the Senate upon the progress and efficiency of the academic work of University College, and as to its progress and requirements, and make such recommendations thereon as he may deem necessary and he shall also report upon any matter which may be referred to him by the Board or by the Senate, and his reports shall, in all cases, be made through the President.

Annual report to Board and Senate.

Absence or
vacancy in
office of
Principal.

(6) In case of the absence or illness of the Principal he may appoint a member of the teaching staff of University College to act for him and failing an appointment and until it is made by him, or if there is a vacancy in the office of Principal the senior member of the teaching staff of University College shall act as Principal *pro tempore*. 6 Edw. VII. c. 55, s. 92.

Registrars for
University and
University
Colleges

83. There shall be a Registrar for the University and a Registrar for University College, and the offices shall not be held by the same person. 6 Edw. VII. c. 55, s. 93.

DISCIPLINE.

Disciplinary
jurisdiction of
governing
bodies.

84.—(1) The Council of University College, and the governing bodies of the federated universities and colleges, shall, respectively, have disciplinary jurisdiction over and entire responsibility for the conduct of their students in respect of all matters arising or occurring in or upon their respective college buildings and grounds, including residences. 6 Edw. VII. c. 55, s. 94.

Disciplinary
jurisdiction of
Faculty
councils.

(2) The councils of such of the faculties as shall have assigned for their separate use any building and grounds, including a residence, shall have disciplinary jurisdiction over and entire responsibility for the conduct of all students in their respective faculties in respect of all matters arising or occurring in or upon such building, or grounds. 6 Edw. VII. c. 55, s. 95.

Disciplinary
jurisdiction of
Caput.

(3) In all other cases, as respects all students to whatsoever college or faculty they belong, disciplinary jurisdiction shall be vested in the Caput, but the Caput may delegate its authority in any particular case or by general regulation to the council or other governing body of the university or college or faculty to which the student belongs. 6 Edw. VII. c. 55, s. 96.

Control of
College associa-
tions.

85. The Caput shall also have power and authority to determine by general regulation, or otherwise, to what college, faculty or other body the control of university associations belongs. 6 Edw. VII. c. 55, s. 97.

Deciding
questions of
jurisdiction.

86. If there is any question as to the proper body to exercise jurisdiction in any matter of discipline which may arise, the same shall be determined by the Caput, whose decision shall be final. 6 Edw. VII. c. 55, s. 98.

Power to im-
pose fines.

87. Disciplinary jurisdiction shall include the power to impose fines. 6 Edw. VII. c. 55, s. 99.

Power to abro-
gate or change
provisions as to
discipline.

88. As respects the conduct and discipline as students of the University of all students registered in the University to whatsoever college or faculty they belong and as respects

all students enrolled in University College the provisions of sections 84 to 87 may be abrogated or changed by the Board. 6 Edw. VII. c. 55, s. 100.

ELECTIONS.

89. The elective members of the Senate shall be elected and the appointed members thereof shall be appointed quadrennially. 6 Edw. VII. c. 55, s. 101 (2). Quadrennial elections of Senate.

90. The Registrar of the University shall, after the fifteenth day of June, and before the fifteenth day of August in every year in which an election is to take place, prepare an alphabetical list to be called "The Election Register," of the names and known addresses of all graduates who are entitled to vote at such election. 6 Edw. VII. c. 55, s. 102. "Election Register." *amended p 59*

91. The election register shall be posted up in a conspicuous place in the office of the Registrar not later than the fifteenth day of August in every such year, and shall be open to inspection by any graduate entitled to vote, at all reasonable hours. 6 Edw. VII. c. 55, s. 103. Register to be posted up in offices of Registrar. *amended p 59*

92. No person whose name does not appear in the election register shall be entitled to vote at the election. 6 Edw. VII. c. 55, s. 104. Persons not to vote unless names on register.

93. If from any cause the election register is not prepared at the time and in the manner provided by this Act, the Board shall make provision for the preparation of it, and all the provisions of this Act as to the election register, except those relating to time, shall apply to the election register so prepared. 6 Edw. VII. c. 55, s. 105. When election register is not duly prepared.

94. For the purposes of all elections at which graduates of a federated university are entitled to vote, the Registrar of such University shall on or before the fifteenth day of June in each year in which an election at which such graduates are entitled to vote is to be held, furnish to the Registrar of the University a list of the names of all graduates of such federated university who are entitled to vote, with their post office addresses as far as the same are known. 6 Edw. VII. c. 55, s. 106. List of graduates entitled to vote to be furnished to federated University.

95. The Department of Education shall, upon the application of the Registrar of the University, furnish him, on or before the first day of August in such year, with a list of all principals of and assistants in collegiate institutes and high schools who are actually engaged in teaching in a collegiate institute or high School, with their post office addresses as far as known. 6 Edw. VII. c. 55, s. 107. Education Department to furnish list of principals and assistants in High Schools.

Separate lists
of different
classes of per-
sons entitled
to vote.

Amended
p 59

96.—(1) The Registrar, in preparing the election register, shall make separate lists of (a) the graduates in Arts of the University enrolled in University College; (b) the graduates in Arts of each federated university, including graduates of the University who were at the time of graduation enrolled in the federated university; (c) the graduates in Medicine; (d) the graduates in Law; (e) the graduates in Applied Science and Engineering; (f) the graduates of each other faculty in the University, the graduates of which are entitled to elect representatives; (g) the graduates in Agriculture, and (h) the principals of and assistants in collegiate institutes and high schools actually engaged in teaching in a collegiate institute or high school.

Lists to be
voters' lists.

(2) Such lists shall be the voters' lists for the election. 6 Edw. VII. c. 55, s. 108.

Complaints as
to errors and
omissions in
lists.

97. If any person whose name appears or ought to appear in any election register complains in writing to the Registrar of the University, not later than ten clear days before the second Wednesday of the month of September in the year in which the election is to be held, that his name or that of any person which ought to appear therein has been omitted from such register or of any error in such name as it appears therein, or that the name of any person whose name ought not to be entered in the register appears therein, the Registrar shall forthwith examine into the complaint, and after such notice as he may deem necessary to any person whose name is sought to be stricken from such register, rectify the error, if any, therein. 6 Edw. VII. c. 55, s. 109.

Appeal from
decision of
Registrar.

98. The decision of the Registrar shall be subject to appeal to the President of the University. 6 Edw. VII. c. 55, s. 110.

Nomination of
Chancellor.

99. No person shall be elected as Chancellor, or as a member of the Senate, unless he has been nominated as hereinafter mentioned, and every vote cast for any person not so nominated shall be void. 6 Edw. VII. c. 55, s. 111.

Nomination to
be in writing.

100. The nominations shall be in writing by a nomination paper, which shall be signed by at least ten of the persons entitled to vote at the election. 6 Edw. VII. c. 55, s. 112.

Delivery of
nomination
paper to Regis-
trar.

101. The nomination paper shall be delivered at the office of the Registrar, or, if sent by mail, shall be received there not later than the first Wednesday in September of the year in which the election is to take place, and if not so delivered or received shall be invalid, and shall not be acted upon. 6 Edw. VII. c. 55, s. 113.

Refusal to
become a
candidate.

102. Any person nominated for the office of Chancellor or as a member of the Senate may refuse to become a

candidate for the office for which he has been nominated and he shall be deemed not to have been nominated, and his name shall not be included in the list of candidates if he notifies the Registrar in writing of his refusal within four days, in which shall not be included a Sunday or other holiday, after the day upon which the time for nominations expired. 6 Edw. VII. c. 55, s. 114; 3-4 Geo. V. c. 74, s. 7.

103. If one person only is nominated for the office of Chancellor within the time fixed for that purpose he shall be elected to and be entitled to hold that office. 6 Edw. VII. c. 55, s. 115. Election by acclamation.

104. If only such number of persons as are required to be elected as members of the Senate are nominated within the time fixed for that purpose the persons so nominated shall be elected to and be entitled to hold the offices for which they were respectively nominated. 6 Edw. VII. c. 55, s. 116. Election of Senate by acclamation.

105. The Registrar shall report to the Senate at its next meeting the results of the election. 6 Edw. VII. c. 55, s. 117. Report of result of election to Senate.

106. If a poll is necessary the Registrar shall on or before the second Wednesday in such month of September send by mail to every graduate who, according to the election register, is entitled to vote at the election, and whose place of residence is shown in such register, or is known to the Registrar, a voting paper, Form 1, together with a list of the persons whose term of office is expiring, and of all persons who have been nominated. 6 Edw. VII. c. 55, s. 118. Voting papers to be sent to graduates.

107. The votes shall be given by closed voting papers, which shall be delivered, or, if sent by mail, shall be received at the office of the Registrar not earlier than the second Wednesday of such month of September, and not later than the first Wednesday of October following, both days inclusive, and every voting paper which has not been furnished by the Registrar, or which is not so delivered or received shall be invalid, and shall not be counted. 6 Edw. VII. c. 55, s. 119. Votes, how given.

108. Two persons appointed by the Senate for that purpose, shall be the scrutineers; but, if the Senate does not at least two weeks previous to the time fixed for the counting of the votes appoint the scrutineers, the President shall make the appointment. 6 Edw. VII. c. 55, s. 120. Scrutineers.

109.—(1) The voting papers, upon the next day after the time for receiving them has expired, shall be opened by the Registrar, and such persons as may be appointed by the President to assist in the opening thereof, in the presence of the President and of the scrutineers, who shall examine and count the votes and keep a record thereof in a book to be provided Opening and counting votes.

for that purpose, and the opening of the voting papers and the counting and recording of the votes shall be continued from day to day until completed.

(2) If the President is unable to be present, he shall appoint some person to act in his stead. 6 Edw. VII. c. 55, s. 121.

Who may be present at count.

110. Any person entitled to vote at the election may be present at the opening of the voting papers and the counting and recording of the votes. 6 Edw. VII. c. 55, s. 122.

When voter gives more votes than entitled to.

111. If more than one name appears upon a voting paper for Chancellor the vote shall be invalid, and shall not be counted, and if more names than the number to be elected appear on a voting paper for members of the Senate the votes shall be counted as votes for the persons whose names appear thereon in consecutive order, beginning with the first until the required number is reached, and all other votes thereon shall be invalid, and shall not be counted. 6 Edw. VII. c. 55, s. 123.

Declaration of result.

112. Upon the completion of the scrutiny and counting of the votes the President or other person acting in his stead and the scrutineers shall declare the result of the election, setting forth the number of votes cast for every person who has been nominated, and shall, without delay, report the same in writing under their hands to the Senate. 6 Edw. VII. c. 55, s. 124.

Senate to have casting vote.

113. In case of an equality of the votes given for two or more persons for Chancellor or for a member or members of the Senate, which leaves the election undecided, the Senate shall, at its next meeting, give the casting vote or votes necessary to decide it. 6 Edw. VII. c. 55, s. 125.

When election not held as provided.

114. If from any cause any election provided for by this Act is not held as hereinbefore provided, or if the full number of members which any body is entitled to elect is not elected, the Board shall make provision for holding the election or an election of the number of members which such body has failed to elect, as the case may be, and fix the dates for the nominations and the other proceedings for taking, counting and recording the votes thereat and declaring the result thereof, and such proceedings shall, as far as may be practicable, be conformable with those provided by this Act. 6 Edw. VII. c. 55, s. 126; 3-4 Geo. V. c. 74, s. 8.

COURSES OF INSTRUCTION, ATTENDANCE, FEES, ENROLLMENT.

Course of instruction in Arts.

115. The course of instruction in the Faculty of Arts shall be apportioned between the University and University College as follows:

*Amended
pp 59 & 60*

(a) In the University instruction shall be given in Mathematics, Physics, Astronomy, Geology, Mineralogy, Chemistry, Biology, Physiology, History, Ethnology, Comparative Philology, Italian, Spanish, History of Philosophy, Psychology, Logic, Metaphysics, Education, Political Science, including Political Economy, Jurisprudence and Constitutional Law, and Constitutional History, and in such other subjects as, from time to time, may be determined by statute in that behalf. University courses.

(b) In University College instruction shall be given in Greek, Latin, Ancient History, English, French, German, Oriental Languages and Ethics, and in such other subjects as may, from time to time, be determined by statute in that behalf, but not in theology. 6 Edw. VII. c. 55, s. 127. University College Courses.

116. The subjects of instruction assigned by section 115 to the University and University College, respectively, shall not be transferred from the one to the other except by the direction of the Board, and no such direction shall be made unless with the consent of the federated universities. 6 Edw. VII. c. 55, s. 128. Consent of federated universities required to transfer of subjects.

117.—(1) The curriculum in Arts of the University shall include the subjects of Biblical Greek, Biblical Literature, Christian Ethics, Apologetics, the Evidences of Natural and Revealed Religion and Church History, but any provision for examination and instruction in them shall be left to the voluntary action of the federated universities and colleges, and provision shall be made by a system of options to prevent such subjects being made compulsory upon any candidate for a degree. University curriculum in Arts to include certain theological subjects

(2) The options shall be evenly distributed over each year of the general or pass course, and as far as practicable over each of the honour courses. 6 Edw. VII. c. 55, s. 129. Distribution of options over years of course.

118. The Board, with the consent of the federated universities, but not otherwise, may provide that attendance by a student enrolled in University College upon instruction in the subjects assigned to University College, or any of them, in any of the federated universities, shall be equivalent to attendance in University College, and that such attendance in University College by a student enrolled in a federated university shall be equivalent to attendance in such federated university, and may prescribe the terms and conditions upon which any such attendance upon instruction may take place. 6 Edw. VII. c. 55, s. 130. Attendance at lectures in federated universities.

119. Save as otherwise provided by the Board, a professor, lecturer, or teacher of University College may give instruction at or to the students enrolled in any federated uni- Interchange of lectures with federated universities.

versity in any of the subjects of instruction from time to time assigned to University College, and a professor, lecturer or teacher of any federated university may give instruction at or to the students enrolled in University College in any of such subjects, but the consent of the Principal of University College and of the federated university concerned and the approval of the Senate shall be first obtained. 6 Edw. VII. c. 55, s. 131.

Instruction in Arts to be free except as to certain fees.

120. Instruction in Arts in the University, except post-graduate instruction, shall be free to all regular matriculated students thereof who are enrolled in University College or in a federated university, and who enter their names with the Registrar of the University, but this provision shall not include exemption from laboratory fees, gymnasium fees, or fees for physical examination or instruction. 6 Edw. VII. c. 55, s. 132.

Minimum table of fees.

121. The table of fees, which on the 15th day of June, 1906, was in force for University College shall be the minimum table of fees for University College and for the Arts faculties of the federated universities, and no reduction shall be made in such minimum unless with the consent of the Board and of the federated universities. 6 Edw. VII. c. 55, s. 133.

Attendance on lectures as qualification to compete for exhibitions, etc.

122. Attendance upon instruction in University College or in St. Michael's College or in a federated university by a student enrolled therein shall entitle such student to present himself for any Arts examination in and to proceed to any degree in Arts of the University, and to compete for any exhibition, scholarship, prize or certificate of proficiency in Arts awarded or granted by the University in the same way and to the same extent as if he had attended upon such instruction in the University. 6 Edw. VII. c. 55, s. 134; 3-4 Geo. V. c. 74, s. 9.

Federated colleges.

123. If and as far as may be sanctioned by the Senate and approved by the Board, the next preceding section shall apply to attendance by a student of a federated or affiliated college upon instruction therein. 6 Edw. VII. c. 55, s. 135.

University students in Arts, enrolment of.

124.—(1) All students proceeding to a degree in Arts in the University, unless in cases for which special provision is made to the contrary by statute of the Senate, shall be enrolled in University College or in St. Michael's College or in a federated university. 6 Edw. VII. c. 55, s. 136 (1); 3-4 Geo. V. c. 74, s. 10.

Registration of students.

(2) Subject to the statutes of the Senate, all students proceeding to a degree in any faculty of the University other than that of Arts unless in cases for which special provision is made to the contrary by statute of the Senate, shall be registered in the University and receive their instruction

therein, except in the subjects in which by or under the authority of clause (b) of section 115 instruction is or may be provided for in University College, as to which it shall be sufficient if being a student enrolled in University College or in St. Michael's College or in a federated university he has received instruction therein. 6 Edw. VII. c. 55, s. 136 (2).

(3) All occasional and graduate students shall also be registered in the University. 6 Edw. VII. c. 55, s. 136 (3). Occasional and graduate students.

125. Persons who have not received their instruction in the University, or in University College, or in a federated university or college, or in an affiliated college, may be admitted as candidates for examination for standing or for any degree, honour, scholarship or certificate of proficiency authorized to be granted or conferred by the University on such conditions as the Senate may, from time to time, determine. 6 Edw. VII. c. 55, s. 137. Admission of candidates not students of the University.

126.—(1) No student enrolled in University College or in a federated university or college or in an affiliated college shall be permitted to present himself for any university examination subsequent to that for matriculation without producing a certificate that he has complied with the requirements of such university or college affecting his admission to such examination. Qualifications of admission to University examinations.

(2) A student enrolled in an affiliated college may, subject to subsection 1 and to any statute of the Senate, present himself for any University examination subsequent to that for matriculation leading to a degree in that branch of learning in which instruction is given in such college, but such student shall not be entitled, unless by special permission of the Senate, to present himself for any examination leading to a degree in Arts or in any other faculty of the University. 6 Edw. VII. c. 55, s. 138. Students enrolled in affiliated colleges.

127. Every graduate's diploma and student's certificate of standing, in addition to being signed by the proper authority of the University, shall indicate the federated university or college or affiliated college in which such student was enrolled at the time of his graduation or examination, and shall be signed by such professor, teacher or officer of the federated university or college or affiliated college as the governing body thereof may determine. 6 Edw. VII. c. 55, s. 139. Diplomas, Certificates, etc., to indicate students, University or College.

ANNUAL GRANTS.

128.—(1) For the purpose of making provision for the maintenance and support of the University and University College, there shall be paid to the Board out of the Consolidated Revenue Fund yearly and every year a sum equal to Annual grant to University of portion of revenue from succession duties. Clement P41

fifty per centum of the average yearly gross receipts of the Province from succession duties.

How payable.

(2) Such annual sums shall be paid in equal half-yearly instalments on the first day of July and the first day of January in each year, and the average yearly gross receipts from succession duties shall be determined by and be based upon the gross receipts from such duties of the three years ended on the 31st day of December next preceding the day on which the first instalment of the year is to be paid.

When amount of grant is in excess of annual expenditure.

(3) If in any year the amount payable to the Board under the provisions of subsections 1 and 2 exceeds the amount of the estimated expenditure for the maintenance and support of the University and University College for the academic year in respect of which such amount is payable, the Lieutenant-Governor in Council may direct that the excess shall be added to the permanent endowment of the University and University College, or set apart by the Board as a contingent fund to provide for the event of the amount payable to the Board being in any future year or years insufficient to defray the cost of such maintenance and support; or that the same may be applied in expenditures on capital account; or be applied or dealt with wholly or in part in each or any of such ways; and may direct that, except in so far as such excess is not directed to be so applied or dealt with, the same shall not be paid to the Board and in every such case the sum which would otherwise be payable to the Board shall be reduced accordingly. 6 Edw. VII. c. 55, s. 140.

TRINITY COLLEGE.

Rights of Trinity College under federation agreement.

129.—(1) Nothing in this Act shall impair or prejudicially affect the rights of Trinity College under those provisions of the agreement made between the Trustees of the University of Toronto and Trinity College bearing the date the twenty-fifth day of August, 1903, which are set out in Schedule B, but such provisions shall continue binding on the University.

Arrangements for removal of Trinity College to Queen's Park.

(2) The Board may make such arrangement as it may deem expedient for facilitating the removal of Trinity College to Queen's Park, and to that end may agree to such modifications and alterations of the terms of such agreement, and may agree to such additional or substituted terms, financial or otherwise, as to the Board may seem meet, but no such agreement shall have any force or effect until approved by the Lieutenant-Governor in Council, and when so approved it shall have the same force and effect as if the terms thereof had been embodied in this Act.

Loan to Trinity may be guaranteed by Province.

(3) In the event of its being necessary in order to carry out any agreement entered into under the provisions of subsection 2, that to enable Trinity College to remove its seat to a site on the University land in or near

Queen's Park and to erect new buildings thereon a loan to be raised by Trinity College should be guaranteed by the Province the Lieutenant-Governor in Council for and in the name of the Province may guarantee the repayment of the loan in such form and upon and subject to such conditions and stipulations as to the nature and sufficiency of the security to be given for the loan, the safeguards which may be deemed necessary to protect the Province against loss and to ensure the repayment of principal and interest as the same become due, and otherwise as to the Lieutenant-Governor in Council may seem meet.

(4) Trinity College may enter into any agreement which it may deem necessary for carrying out the purpose mentioned in subsection 2, and may make and execute all agreements, deeds and other instruments deemed necessary to carry into effect the provisions of any such agreement, Trinity College authorized to enter into agreement as to removal.

(5) Trinity College may also borrow upon the security of its property, real and personal, or any part thereof, such sum of money as may be deemed requisite in order to carry out such removal, and the terms of any agreement so entered into, and may execute such deeds, bonds, debentures and other instruments necessary for the purposes of such security, and the money so borrowed may be repayable at such times and in such manner and bear such rate of interest as to Trinity College may seem meet. 6 Edw. VII. c. 55, ss. 141 and 142. Borrowing powers of Trinity College.

DEVONSHIRE PLACE.

130.—(1) The Board may stop up and close the highway in the City of Toronto called Devonshire Place, and if and when a statute for that purpose is passed by the Board and registered as hereinafter mentioned, the said highway shall be stopped up and closed and shall cease to be a highway, and the soil and freehold thereof shall be vested in the Board for the use of the University and University College. Board may close Devonshire Place.

(2) The Board shall make to the owners and occupiers of and all persons interested in any of the lots fronting or abutting on the highway compensation for the damage or injury occasioned to such lots by the closing of the highway, and the amount of such compensation shall be ascertained and determined in the manner provided for by paragraph (g) of section 32. Compensation to owners of adjoining lands.

(3) The statute may be registered in the Registry Office for the eastern division of the City of Toronto, and for the purpose of such registration a duplicate original of the statute shall be made out and certified under the hand of the Bursar and the seal of the Board and shall be registered without any further proof. 6 Edw. VII. c. 55, s. 143. Registration of statute closing Devonshire Place.

Section 144 of 6 Edw. VII. c. 55 is not included in the consolidation, but is not repealed.

FEDERATED COLLEGES BECOMING COLLEGES OF THE UNIVERSITY.

When federated college may become a college of the University.

131. If where a college federated with the University has established or hereafter establishes a faculty of Arts in which instruction in the subjects of the course of study in Arts not being University subjects is provided and a statute of the Board has been or shall be passed declaring that it has so done, such college, so long as it maintains such faculty to the satisfaction of the Board, shall be known as and may be called a college of the University, and the teaching staff in such faculty shall have the same representation in the Council of the faculty of Arts as is by section 66 given to the teaching staffs of the federated universities, and the regular matriculated students of such college who are enrolled therein and enter their names with the Registrar of the University shall be entitled to the privileges which are by section 120 conferred upon the students mentioned therein.

6 Edw. VII. c. 55, s. 145.

Added p57. 132.

SCHEDULE A.

FORM 1.

(Section 106.)

FORM OF VOTING PAPER.

UNIVERSITY OF TORONTO ELECTION. 19

I, _____ resident at _____ in the county
of _____ do hereby declare:

(1) That the signature subscribed hereunto is of my proper hand-writing.

(2) That I vote for the following person as Chancellor of the University of Toronto, viz., _____ of _____ in the _____ of _____

(3) That I vote for the following persons as members of the Senate of the University of Toronto, viz.,
of _____ in the _____ of _____
etc.. etc.

(4 That I have not for the purpose of this election signed any other voting paper as a graduate of the Faculty of Arts (or of Medicine, or of Law, or of Applied Science and Engineering (or as the case may be) or as a Principal of or Assistant in a Collegiate Institute, or a High School, as the case may be).

(5) That this voting paper was signed by me on the day of the date thereof.

(6) That I vote in my right as graduate of _____ University
(or Principal of, or Assistant in a Col-
legiate Institute or a High School, as the case may be).

(7) (In the case of a Principal of, or Assistant in a Collegiate Institute or in a High School) That I am now actually engaged in teaching in a Collegiate Institute (or in a High School, *as the case may be*) viz., in the _____ at _____

Witness my hand this day of 19 A. D.

SCHEDULE B.

(Section 129.)

Provisions of the agreement between the Trustees of the University of Toronto and Trinity College which are not to be affected by the Act.

"The parties of the second part shall be entitled to have lectures in the University subjects as defined by *The University Act, 1901*, delivered by the professors and other instructors of the University of Toronto at Trinity College in all subjects of the general or pass course, and as far as practicable in all subjects of the several honour courses, but it is hereby declared that it is not intended that there shall be any duplication of lectures or other instruction for the purposes of which scientific apparatus or other means of demonstration are required which are not provided by Trinity College, and which cannot be conveniently taken from the University buildings to Trinity College.

"All arrangements for such lectures, including the time table of lectures and the personnel of lecturers, shall be made in such manner as to afford to the students enrolled at Trinity College the same advantages in regard to the University lectures as are afforded to the students of the other Arts colleges, and the said arrangements shall be made in each year by the President of the University of Toronto and the Provost of Trinity College, and, in the event of their being unable to agree on any matter, the same shall be forthwith referred for final decision to such person as they may designate in writing under their hands, and, in the event of the President and the Provost being unable to agree upon such referee within one week after such disagreement on any matter as aforesaid, such referee shall be appointed by the Minister of Education, and a decision in writing of such referee, by whomsoever chosen, shall be final.

"The expenses connected with the duplication of lectures as aforesaid shall be assumed by the Government as a permanent charge on the provincial revenues in consideration of the suspension by Trinity College of its degree conferring powers, and of its surrender to the University of Toronto of all fees in connection with degrees other than those of Theology.

"A site to be agreed on between the said parties hereto in or near the Queen's Park, in the City of Toronto, on the lands vested in the parties of the first part, shall be reserved for the parties of the second part, on which they may erect at their own expense a building for the use of the students of Trinity College while attending lectures in the University buildings.

"Such site shall be occupied by the parties of the second part free of ground rent and all other charges so long as the federation of the universities continue, but, in the event of the withdrawal of the parties of the second part from federation the said building shall be purchased from the said parties of the second part by the said parties of the first part at a valuation to be determined by the arbitration of two indifferent persons to be appointed, one by each of the parties hereto, their successors or assigns, and this provision shall be deemed to be and shall be a submission under *The Arbitration Act*.

"Until the erection of such building students from Trinity College attending University lectures shall be allowed the use of some suitable rooms in one of the University buildings.

"Subsections 1 and 2 of section 43 of the said Act are hereby declared to be incorporated in and to form part of this agreement.

"The Senate of the University of Toronto shall enact such statutes as may be necessary to enable the University of Toronto to confer on undergraduates and graduates of Trinity College the degrees provided for by subsection 2 of section 3 of *The University Act, 1901*, which are now conferred by Trinity University.

"The examination for the said degrees shall be conducted by the University of Toronto through examiners nominated by the parties of the second part, and the said degrees shall be conferred by the University of Toronto upon the report of the said examiners.

"All students of Trinity Medical College who have not matriculated at the date of the issue of the proclamation of the federation of the two universities shall be allowed two years from that date to matriculate in the University of Trinity College under the regulations in force at the date of federation."

6 Edw. VII. c. 55, Sched. 2.

1914 - Cap. 21, § 64

c. 279,
s. 128,
subs. 1,
amended.
Limit of
grant to
University.

64. Subsection 1 of section 128 of *The University Act* is amended by adding at the end thereof the following words:
"But such sum shall not exceed \$500,000 in any year."

CHAPTER 63.

An Act to amend The University Act.

Assented to 27th April, 1916.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 279, s. 32,
amended.

1. Section 32 of *The University Act* is amended by adding thereto the following clause:—

p14
Borrowing
by board
from bank
or lender.

(u) borrow from time to time from any bank or lender on such terms as may be agreed on such sums of money as may be required for the purposes of the University and University College.

Limits of
amount.

*p56
intended*
(i) The total sum to be so borrowed and remaining unpaid at any one time shall not exceed \$250,000.

Lender not
required
to inquire
as to neces-
sity for
loan.

(ii) A bank or lender shall not be bound to inquire as to the necessity for borrowing, but where any loan is made, it shall be deemed to have been lawfully made under the authority of this section.

Act retro-
active.

2. This Act shall take effect as from the 14th day of May, 1906.

1918 - Cap. 20, Sec. 50

members
to Senate,
University
of Toronto,
postponed
until after
present
war.
Rev. Stat.

50. Notwithstanding the provisions of section 44 of *The University Act*, there shall be no election for members of the Senate until one year after the expiration of the present war.

P. 17

CHAPTER 101.

An Act to amend The University Act.

Assented to 13th June, 1922.

WHEREAS the lands hereinafter described and other Preamble.
lands were vested in the University Residence
Trustees for the purposes mentioned in the Act passed in
the fifth year of the reign of His late Majesty King Edward
the Seventh, chaptered 35 and intituled *An Act to Incorporate the University Residence Trustees*; and whereas under
the authority conferred by clause 1 of section 32 of *The University Act* the University Residence Trustees have conveyed to the Governors of the University of Toronto the said
lands upon the trusts and for the purposes upon and for
which the same were held by the University Residence Trustees and subject as to part of the said lands to the terms of
the lease thereof to Kappa Alpha Residence Limited; and
whereas the lands hereinafter described are no longer needed
for University residence purposes and a portion of them
has been set apart for the use of Trinity College:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The University Act, 1922.* Short title.

2. The lands described as follows:

First. All and singular those certain parcels of land Certain lands discharged from trusts to University Residence Trustees or Governors.
and premises situate lying and being in the City of
Toronto, in the County of York and Province of Ontario,
and comprising lots 41, 42, 43, 44 and 45 and parts
of lots 40 and 46, as shown upon a plan registered
in the registry office for the registry division of East
Toronto as plan 101-E and part of park lot 13 in concession 1 from the bay, and more particularly described as
follows: Commencing at a point in the easterly limit of
Devonshire Place where a wooden stake has been planted,
said point being a distance of thirty-two feet (32') north
from the south-west angle of the said lot forty-six (46);

thence

thence northerly along the easterly limit of Devonshire Place two hundred and ninety feet (290') to a point in the same, said point being a distance of twenty-two feet (22') north from the south-west angle of said lot forty (40); thence easterly parallel to the northerly limit of Hoskin Avenue two hundred feet (200'); thence southerly parallel to the easterly limit of Devonshire Place two hundred and ninety feet (290') to a point where a wooden stake has been planted distant three hundred and ten feet (310') from the northerly limit of Hoskin Avenue; thence westerly parallel to the northerly limit of Hoskin Avenue two hundred feet (200') to the point of commencement;

Second, All and singular those certain parcels of land and premises situate lying and being in the City of Toronto, in the County of York and Province of Ontario, and comprising lots 1, 2, 3, 7 and part of lot 8 as shown upon a plan registered in the registry office for the registry division of East Toronto as plan 101-E, and more particularly described as follows: Commencing at the intersection of the northerly limit of Hoskin Avenue with the westerly limit of Devonshire Place said point being the south-east angle of said lot three (3); thence northerly along the said westerly limit of Devonshire Place two hundred and forty feet (240') to a point in the same; thence westerly parallel to the northerly limit of Hoskin Avenue one hundred and fifty feet (150') to the westerly limit of said lot eight (8); thence southerly parallel to the westerly limit of Devonshire Place two hundred and forty feet (240') to the northerly limit of Hoskin Avenue aforesaid; thence easterly along the northerly limit of Hoskin Avenue one hundred and fifty feet (150') to the point of commencement;

shall hereafter be free of and discharged from the trusts upon which the same were held by the University Residence Trustees or are now held by the Governors of the University of Toronto, and shall be and are hereby vested in the last-named body in the same manner as other lands vested in it for the purposes of *The University Act* are vested in it, but subject to the terms of the agreements bearing date the 15th day of November, 1910, and the 10th day of March, 1917, between the Governors of the University of Toronto and Trinity College.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 85.

An Act to amend The University Act.

Assented to 17th April, 1924

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The University Act, 1924*.

Rev. Stat.
c. 279, s. 19,
amended.

2. Section 19 of *The University Act* is amended by adding thereto the following subsections:

Nomination
of certain
members of
Board of
Governors
by Alumni.

- (2) The Alumni Federation of the University of Toronto may nominate eight of the twenty-two persons so to be appointed by the Lieutenant-Governor in Council and such nomination shall be by general vote of the members of the Alumni Federation of the University of Toronto who are graduates of the University, and such vote shall be taken by closed voting papers mailed or delivered by the members to the secretary-treasurer of the said Federation at such time and subject to such regulations as may be made by the Alumni Council of the said Federation with the approval of the Lieutenant-Governor in Council.

P7

Nominees to
be appointed
as vacancies
arise.

- (3) Vacancies hereafter occurring by the expiry of the term of office or by death or resignation or from any other cause among the appointed members may be filled from among the persons so nominated until eight such persons have been appointed, and in the case of vacancies caused by death or resignation or from any cause other than the expiry of the term of office the member appointed shall hold office for the remainder of the term for which the member whose place is to be filled was appointed.

P7

Who in-
eligible for
nomination.

- (4) The persons declared to be ineligible for appointment as members of the Board shall not be eligible for nomination by the Alumni Federation of the University of Toronto.

P7

3. *The University Act* is amended by adding thereto the following section:

Rev. Stat.
c. 279, s. 32,
amended.

32a. The Board shall have, and shall as from the 15th day of June, 1906, be deemed to have had the power to—

p 38

- (i) purchase or otherwise acquire any invention or any interest therein, or any rights in respect thereof, or any secret or other information as to any invention, and apply for, purchase or otherwise acquire any patents, interests in patents, licenses and the like conferring any exclusive or non-exclusive or limited right to make or use or sell any invention or inventions; and use, exercise, develop, dispose of, assign or grant licenses in respect of, or otherwise turn to account the property rights or information so acquired; and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of any invention or any rights in respect thereof, or the owner of a patent of invention or of any rights thereunder may possess, exercise and enjoy; Power to acquire patents, etc.
- (ii) apply for, purchase or otherwise acquire any trade marks or trade names and the like or any interest therein and use, dispose of, assign or otherwise turn to account the trade marks, trade names and interests so acquired; and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a trade mark or trade name or the like may possess, exercise and enjoy; Power to acquire trade marks.
- (iii) apply for, purchase or otherwise acquire any copyright or like right or any interest therein or right thereunder, and use, exercise, develop, dispose of, assign or grant licenses in respect of or otherwise turn to account any copyright or like right or any interest or right so acquired; and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a copyright or like right or of any interest therein or right thereunder may possess, exercise and enjoy. Power to acquire copyright.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

BILL

An Act to provide for the Payment of an Annuity
to the University of Toronto.

WHEREAS it is desirable that the Province of Ontario should give financial assistance to the University of Toronto to purchase property required for the erection of new departmental buildings;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The University Aid Act, 1926*. Short title.

2. The Treasurer of Ontario is authorized to pay to the Governors of the University of Toronto out of the Consolidated Revenue Fund in each year, commencing with the present fiscal year, 1925-1926, for a period of twenty years the sum of thirteen thousand four hundred and eighty dollars and seventy-five cents (\$13,480.75) to be applied to the purposes mentioned in the preamble to this Act. Annual grant for buildings for twenty years.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 72.

3rd Session, 16th Legislature,
16 George V, 1926.

BILL.

An Act to provide for the Payment of an
Annuity to the University
of Toronto.

1st Reading,	15th February,	1926.
2nd Reading,	17th February,	1926.
3rd Reading,	1st April,	1926.

MR. PRICE.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The University Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The University Act, 1926.* Short title.

2. The agreement between the governors of the University of Toronto and the Board of Directors of the Royal College of Dental Surgeons of Ontario, a copy of which forms a schedule to this Act, is hereby ratified and confirmed. Agreement with College of Dental Surgeons, confirmed.

3. Subsection 5 of section 7 of *The University Act* is repealed, and the following substituted therefor,— Rev. Stat. c. 279, s. 7, subs. 5, repealed. *p. 3*

(5) The following are declared to be the colleges affiliated with the university, that is to say—Albert College, the Ontario Agricultural College, The Royal College of Dental Surgeons, The Ontario College of Pharmacy, The Columbian Methodist College, The Ontario Veterinary College and The Ontario College of Art; The Ontario Ladies College and Alma College which are affiliated with the university by reason of their having been affiliated with Victoria University when that university became federated with the university, and St. Hilda's College, which is affiliated with the university by reason of its having been affiliated with Trinity College when Trinity College became federated with the University. Affiliated colleges.

4.—(1) Clause *c* of section 32 of *The University Act* is amended by substituting for the word and figure "subsection 2" in the third line thereof, the word and letter "clause *b*" so that the clause will now read as follows,— Rev. Stat. c. 279, s. 32, cl. c, amended. *p. 10.*

(c) make regulations respecting and provide for the retirement and superannuation of any of the persons mentioned in clause *b*, or the payment of a gratuity Super-annuation and retiring allowance.

to any of them upon retirement and provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the moneys of the Board, or by contributions from such persons, or partly by both:

Rev. Stat. c. 279, s. 32, cl. u, subcl. i; *The University Act* as enacted by the Act passed in the year 1916, chaptered 63, is amended by inserting after the word "not" in the second line of the said subclause the words "without the approval of the Lieutenant-Governor in Council," so that the subclause will now read as follows,—

Limit of amount to be borrowed by University. *p44* (i) The total sum to be so borrowed and remaining unpaid at any one time shall not, without the approval of the Lieutenant-Governor in Council, exceed \$250,000.

Rev. Stat. c. 279, s. 41, cl. b, repealed. 5.—(1) Clause *b* of section 41 of *The University Act* is repealed and the following substituted therefor,—

Representation of faculties in senate. (b) The faculties shall be entitled to representation as follows,—

p. 16. The Faculty of Arts of the University by the professors (not including associate or assistant professors) of the faculty, each of whom shall be a member of the Senate;

The Faculty of Medicine by five members thereof;

The Faculty of Applied Science and Engineering by five members thereof;

The Faculty of University College by three members thereof;

The Faculty of Arts of Victoria University by three members thereof;

The Faculty of Arts of Trinity College by three members thereof;

The Faculty of Arts of St. Michael's College by three members thereof;

The Faculty of Dentistry by four members thereof;

and

The Faculty of Arts of every university and arts college hereafter federated with the University by three members thereof;

(2) Clauses *c* and *d* of section 41 of *The University Act* are repealed and the following substituted therefor,—

Rev. Stat.
c. 279, s. 41,
clauses *c*
and *d*,
repealed.

- (c) One member shall be appointed by each federated university, two members shall be appointed by each federated college, except St. Michael's College which shall appoint one member, one member shall be appointed by the Law Society of Upper Canada, one member by the Ontario Medical Council, one member by the Royal College of Dental Surgeons, and subject to any statute, one member shall be appointed by the governing body of every affiliated college which now is or shall hereafter be entitled to appoint a representative;

Number of
of members
to be ap-
pointed by
federated
universities
and colleges,
law society,
medical
council, den-
tal college
and
affiliated
colleges.

P. 10

- (d) Twelve members shall be elected by the graduates in Arts in the University, who at the time of graduation were enrolled in University College; five members shall be elected by the graduates in Arts and Science of Victoria University, and the graduates in Arts of the University, who at the time of graduation were enrolled in Victoria College; five members shall be elected by the graduates in Arts and Science of Trinity College, and the graduates in Arts of the University, who at the time of graduation were enrolled in Trinity College; five members shall be elected by the graduates in Medicine; four members shall be elected by the graduates in Applied Science and Engineering, and by such persons as hold the diploma of the School of Practical Science, or of the University; two members shall be elected by the graduates in Law; two members shall be elected by the graduates in Agriculture; and four members shall be elected by such persons as hold certificates as principals of collegiate institutes or high schools or assistants therein, and are actually engaged in teaching in a collegiate institute or a high school, and one member by such persons as hold certificates as principals of vocational schools or assistants therein and are actually engaged in teaching in a day vocational school.

Election of
members by
graduates.

P. 16

(4) Section 41 of *The University Act* is amended by adding after clause *d*, the following subclause,—

Rev. Stat.
c. 279, s. 41,
amended.

Appoint-
ment of
members by
graduates
not enrolled
in federated
colleges.

p17

- (i) Bachelors of Arts of the University who have not been enrolled in University College, or in a federated university or arts college, and Masters of Arts and Doctors of Philosophy of the University, whose bachelor's degree was obtained in another university, shall be entitled to appoint one member for each one hundred of such graduates, but in no case shall the number of representatives exceed two.

Rev. Stat.
c. 279, s. 41,
amended.

- (5) Section 41 of *The University Act* is amended by adding after clause *c*, the following subclause,—

Repre-
sentation of
graduates
from
St. Michael's
College.

p16

- (i) The provisions of this clause shall govern in respect of the representation of the graduates in Arts of the University, who at the time of graduation were enrolled in St. Michael's College.

Rev. Stat.
c. 279, s. 41,
cl. *f*,
amended.

6. Clause *f* of section 41 of *The University Act* is amended by inserting after the word "Senate" in the fourth line, the words "of the Faculty and" so that the clause will now read as follows,—

Repre-
sentation on
Senate of
faculties
hereafter
established.

p17

- (f) If and when any new faculty is established in the University, provision may be made by the Senate, subject to confirmation by the Board for the representation on the Senate of the Faculty and of the graduates in such faculty.

Rev. Stat.
c. 279, s. 60,
amended.

7. Section 60 of *The University Act* is amended by inserting after the word "thereof" in the second line, the words "and by such persons as hold the diploma of the School of Practical Science or of the University," so that the section will now read as follows,—

Election of
Chancellor.

p22

60. There shall be a Chancellor of the University who shall be elected by the graduates thereof, and by such persons as hold the diploma of the School of Practical Science or of the University, at the time and in the manner hereinafter mentioned.

Rev. Stat.
c. 279, s. 66,
subs. 1,
amended.

8. Subsection 1 of section 66 of *The University Act* is amended by inserting after the word "University" in the fifth line, the words "or federated arts college" and by inserting in the ninth line after the word "University" the words "or arts college" so that the section will now read as follows,—

Faculty
council.

p22

- 66.—(1) There shall be a faculty council to be known as "The Council of the Faculty of Arts" which shall consist of the President of the University, the Principal of University College, the president or other head of every federated university or federated arts

college, the Dean of the Faculty of Arts, the teaching staff in the Faculty of Arts of the University, the teaching staff of University College, the teaching staff of Victoria College, of Trinity College and of every other university or arts college hereafter federated with the University, one professor in the department of religious knowledge appointed by the theological faculty in each federated university now or hereafter federated, and one professor appointed by each of the federated colleges.

9. Section 90 of *The University Act* is amended by adding thereto the following subsection,—

Rev. Stat.
c. 279, s. 90,
amended.

- (2) Where a card catalogue containing the names and known addresses of such graduates is kept, it shall not be necessary to prepare the alphabetical list mentioned in subsection 1.

Use of card
catalogue in
place of
list of
graduates.

p.29

10. Section 91 of *The University Act* is amended by adding in the first line after the words "posted up" the words "or the card catalogue shall be kept," so that the section will now read as follows,—

Rev. Stat.
c. 279, s. 91,
amended.

91. The election register shall be posted up or the card catalogue shall be kept in a conspicuous place in the office of the Registrar, not later than the fifteenth day of August, in every such year and shall be open to inspection by any graduate entitled to vote at all reasonable hours.

Right to
inspect list
or catalogue.

p.29

11. Subsection 1 of section 96 of *The University Act* is amended by adding in the second line after the words "separate lists" the words "to conform to the various groups enumerated under section 41 as amended by this Act," and by striking out all the words after "separate lists" so that the section will now read as follows,—

Rev. Stat.
c. 279, s. 96,
subs. 1,
amended.

- 96.—(1) The Registrar, in preparing the election register, shall make separate lists to conform to the various groups enumerated under section 41 as amended by this Act.

Manner of
preparing
election
register.

p.30

12. Section 114 of *The University Act* is repealed and the following substituted therefor,—

Rev. Stat.
c. 279, s. 114,
repealed.

- 114.—(1) If from any cause any election provided for by this Act is not held as hereinbefore provided, or if the full number of members which any body is entitled to elect is not elected, instead of an election

Failure of
election of
representa-
tives by any
body
entitled to
elect.

p.31

being held, the Senate at a special meeting called for that purpose, may appoint the number of members which such body has failed to elect.

- (2) If the Senate should by resolution decline to appoint the members which any body has failed to elect, the board shall make provision for holding the election or an election of the number of members which such body has failed to elect, as the case may be, and fix the dates for the nominations and the other proceedings for taking, counting and recording the votes thereat and declaring the result thereof, and such proceedings shall, as far as may be practicable, be conformable with those provided by this Act.

Rev. Stat.
c. 279,
amended.

13. *The University Act* is amended by adding the following as section 114a,—

Quorum
of senate.

114a. Notwithstanding any vacancy in the membership of the Senate, however caused, as long as there are at least 20 members, it shall be competent for the Senate to exercise all or any of its powers.

Commence-
ment of
Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

BY-LAW NUMBER 52.

TO ESTABLISH A FACULTY OF DENTISTRY.

Whereas under and by virtue of *The University Act* being Chapter 279 of the Revised Statutes of Ontario, 1914; the Board of Governors of the University of Toronto is empowered to establish such Faculties, Departments, Chairs and Courses of Instruction in the University as to the Board may seem meet;

And whereas it has seemed to the Board desirable to establish a Faculty of Dentistry;

Be it therefore enacted by the Governors of the University of Toronto;

1. That a Faculty of Dentistry in the University of Toronto be and the same is hereby established.

2. That the terms agreed upon by representatives of the University and the Royal College of Dental Surgeons in connection with such Faculty, as set out in the Schedule attached, be and they are hereby approved and assented to, effective 1st July, 1925.

Passed the eleventh day of June, 1925.

(Sgd.) H. J. CODY, *Chairman.*
(L.S.)

SCHEDULE TO BY-LAW NUMBER 52

In the following statement:

"The University" shall mean the University of Toronto. "The Board" shall mean the Board of Directors of the Royal College of Dental Surgeons of Ontario. "R.C.D.S." shall mean the Royal College of Dental Surgeons of Ontario.

1. That a Faculty of Dentistry be established by the University of Toronto.

2. That the teaching staff of the School of Dentistry be appointed to positions of like rank in the proposed Faculty, subject to such adjustments as may be deemed necessary.

3. That so far as possible instruction shall be conducted in the lecture rooms and laboratories of the Dental Building as at present.

4. That the Council of the Faculty of Dentistry shall include in its active membership, but not for purposes of teaching, three representatives of the Board, to be nominated by the Board.

5. That one member of the Board shall be elected by and from the Faculty of Dentistry.

6. That the representation of the Faculty on the Senate of the University shall consist of not less than four and not more than five members.

7. That the representation of the graduates in Dentistry upon the Senate shall be not less than two members.

8. That so long as the regulations and curriculum maintained by the Faculty of Dentistry of the University of Toronto are not less than the minimum requirements of the Board, the Faculty shall be the only body engaged in the teaching of Dentistry in Ontario, recognized by the Board, unless and until the Government of Ontario directs otherwise.

9. That the University and the Board shall co-operate in the examinations for the degree of Doctor of Dental Surgery and for the title Licentiate of Dental Surgery.

10. That whatever arrangements are made respecting co-operation in the examination of candidates, the Board shall retain its present rights and powers in respect to examination for license to practise dentistry within the Province of Ontario.

11. That the University shall transmit annually to the Board a list of those candidates who have met the conditions prescribed for the degree of Doctor of Dental Surgery as a preliminary to the issuance of the License, and the examination record of such other candidates as at the request of the Board have been examined by the Faculty.

12. That the University, as a part of the regular tuition fee, shall receive for and transmit to the Board annually the sum of \$10 for each student registered as in attendance in the Faculty of Dentistry, which for each candidate shall be credited by the Board toward the license fee.

13. That the fee for candidates other than Faculty Students for license to practise shall be payable to the Board.

14. That in consideration of the R.C.D.S. transferring to the University in trust for dental education the entire land, building and equipment of the School of Dentistry free from encumbrance and valued at \$475,000, the University agrees to assume the amount of the bank overdraft on 30th June, 1925, not exceeding \$76,000, and further agrees to provide, free of charge, suitable quarters for the meetings of the Board and for its executive purposes.

15. That in consideration of the transfer of assets of \$475,000 of the R.C.D.S. to the University, the University agrees to the retention by the Board of an equity of \$50,000 so that it may adequately perform the functions required of it by The Act respecting Dentistry. This amount may be paid in cash to the Board by the University, at any time, without notice, but until such principal sum of \$50,000 is paid the University shall pay to the Board, annually, the sum of \$2,500 as interest.

16. That in consideration of the University maintaining adequate and satisfactory library facilities in the dental building for housing the "Harry R. Abbott Memorial Library," the Board agrees to allow the privileges of the library to all undergraduates in Dentistry under such regulations as the Board may from time to time adopt; the ownership of such Library to remain vested in the R.C.D.S.

17. That the Government of the Province agrees to make such changes in The Act respecting Dentistry as will give effect to the agreement which may be brought about as the result of conferences between the Government, the University of Toronto and the Royal College of Dental Surgeons of Ontario.

No. 154.

3rd Session, 16th Legislature,
16 George V, 1926.

BILL.

An Act to amend The University Act.

1st Reading, 22nd March,	1926.
2nd Reading, 25th March,	1926.
3rd Reading, 1st April,	1926.

• MR. FERGUSON.

TORONTO:

PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

TABLE OF PUBLIC STATUTES 1914-1925

TABLE SHOWING ALL ACTS CONTAINED IN THE REVISED STATUTES OF
ONTARIO, 1914, AND ALL AMENDMENTS AND ALL PUBLIC ACTS
PRINTED IN THE ANNUAL STATUTES,
1914 TO 1925 INCLUSIVE.

NOTE.—This table has been prepared for the convenience of the public under the instructions of the Attorney-General. Each Act, with its amendments, is shown alphabetically in the table under the heading of its short title, if it has one, otherwise under its long title. Numerous subject matter or collective titles have been inserted by way of cross-reference to facilitate the finding of the different Acts.

Abbreviations.—aff.=affecting; am.=amending; c.=chapter; rep.=repealing; R.S.O.=Revised Statutes of Ontario; s.=section; sub.=substituting.

U

UNEMPLOYMENT. *See* An Act respecting Works and Measures to relieve Unemployment; Unemployment Special Rate Act.

UNEMPLOYMENT SPECIAL RATE ACT. 1925, c. 44.

UNIVERSITY ACT. R.S.O. 1914, c. 279; 1914, c. 21, s. 64 am.; 1916, c. 63 am.; 1918, c. 20, s. 50, c. 53 am.; 1919, c. 79; 1922, c. 101 am.; 1924, c. 85 am.

UNIVERSITY AID ACT. 1918, c. 53.

UNIVERSITY OF TORONTO—AGREEMENT WITH TORONTO CONSERVATORY OF MUSIC. 1919, c. 79.

UNORGANIZED TERRITORY. *See* Provincial Land Tax.

UPPER CANADA COLLEGE ACT. R.S.O. 1914, c. 280; 1916, c. 24, s. 43 am.; 1918, c. 54 am.; 1919, c. 80 am.; 1922, c. 102 am.

UNWROUGHT METAL SALES ACT. 1924, c. 20.

THE
LAW RESPECTING DENTISTRY

IN THE
PROVINCE OF ONTARIO
CANADA

x

INCLUDING
THE DENTISTRY ACT
AND THE
CONSOLIDATED BY-LAWS OF THE ROYAL
COLLEGE OF DENTAL SURGEONS
OF ONTARIO

October 1926

THE
LAW RESPECTING DENTISTRY

IN THE
PROVINCE OF ONTARIO
CANADA



INCLUDING
THE DENTISTRY ACT
AND THE
CONSOLIDATED BY-LAWS OF THE ROYAL
COLLEGE OF DENTAL SURGEONS
OF ONTARIO

October 1926

LAW RESPECTING DENTISTRY

LAW RESPECTING DENTISTRY IN ONTARIO

Short Title.

Bill No. 122—Enacted by the Legislature of Ontario, April, 1926.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as The Dentistry Act, 1926.

Royal College of Dental Surgeons of Ontario.

Royal College of Dental Surgeons of Ontario.

2. "The Royal College of Dental Surgeons of Ontario," hereinafter called "the College" is continued, and every person who holds a valid and unforfeited certificate of license to practice dentistry granted to him by such College shall be a member of the corporation.

Power as to real estate.

3.—(1) The College may purchase, take and possess for the purpose of the College, but for no other purpose, and after acquiring the same, may sell, mortgage, lease or dispose of any real estate.

Consent to alienation, etc., required.

(2) Such real estate shall not be sold, mortgaged, leased or disposed of, except with the consent of the Board of Directors, given at a meeting duly called for that purpose and with the consent of the Minister of Education.

Notice of meeting.

(3) Notice of such meeting shall be given to every member of the Board, by letter mailed to his last registered address, seven days before the day appointed for such meeting, stating the object thereof.

Board of Directors

Board of Directors.

4.—(1) There shall continue to be a Board of Directors of the College, hereinafter called the "Board".

Number of members.

(2) The Board shall consist of nine elected members, each of whom shall be a member of the College, and shall hold office for two years, and the Minister of Education of the province of Ontario, who shall be *ex-officio* a member of the Board.

Quorum.

(3) The presence of at least five of the elected members of the Board shall be necessary to constitute a quorum.

One member for each electoral district.

(4) One member shall be elected for each electoral district mentioned in Schedule "A" by the members of the College resident in such district, and every person so elected shall be a resident of the electoral district for which he is elected and no person shall be eligible for election as a representative of an electoral district who is a member of any dental faculty and in receipt of salary or other remuneration for his services thereon.

LAW RESPECTING DENTISTRY

- (5) One member shall be elected by and from the Faculty of Dentistry of the University of Toronto. Member from Faculty of Dentistry.
- (6) A member of the Board may at any time resign his office by giving notice of his resignation in writing to the secretary and in case of a vacancy occurring through resignation or otherwise: Resignation.
- (a) where the vacancy occurs in the representation of an electoral district more than two months prior to the holding of a general election, an election shall be held for the electoral district to fill the vacancy, and where the vacancy occurs not more than two months prior to the date of the general election, no person shall be elected or appointed to fill the vacancy; Filling vacancies.
- (b) where the vacancy is in the representation of the Faculty of Dentistry, the remaining members of the Faculty shall elect a duly qualified person to fill the vacancy.
- 5.** The Province of Ontario shall, for the purposes of this Act, be divided into the eight electoral districts described in Schedule "A." Electoral districts.
- 6.—(1)** An election of the Board shall be held on the second Wednesday of December in every second year, reckoning from the year 1912; and the present Board shall hold office until the first meeting of the Board. Election of Board.
- (2) No person shall be qualified to vote at such election if he is in arrear in respect of any fees payable by him. Qualification of voters.
- (3) The votes at such election shall be given by closed voting papers, Form 1. How votes to be given.
- (4) The manner of holding such election with respect to notification of the electors of the time and place of holding the election, the nomination of candidates, the presiding officer thereat, the taking and counting of the votes, the giving of a casting vote in case of an equality of votes, and other necessary details, shall be determined by by-law of the Board, and in default of such by-law, may be prescribed by the Lieutenant-Governor in Council. Manner of election.
- 7.—(1)** Every newly elected Board shall hold its first meeting in the City of Toronto on the first Monday in May, or at such other time as may be fixed by the retiring Board, and the members of the Board shall hold office until the first meeting of their successors. First meeting of Board.
- (2) Other meetings shall be held at such time and place as the Board appoints. Subsequent meetings.
- (3) Special meetings may be called by the President at any time. and on the request in writing of four members of the Board, he shall call a special meeting. Special meetings.

LAW RESPECTING DENTISTRY

Officers of the Board

President
and
officers.

8.—(1) Every Board shall at its first meeting elect a President, a Vice-President and a Registrar, and shall appoint a Treasurer and a Secretary, and such other officers as the Board considers necessary.

Remunera-
tion of treas-
urer and
secretary.

(2) The Treasurer and the Secretary shall receive such remuneration for their services as the Board may fix.

President,
etc., pro
tempore.

(3) The Board shall, if the President and Vice-President are absent, elect one of its members to preside at its meeting, who while so presiding shall have the same powers and exercise the same functions as the President.

Executive
committee.

(4) The Board shall annually appoint from among its members not more than five persons who shall constitute an Executive Committee, to take cognizance of and action upon all such matters as may be delegated to it, or as may require immediate action or attention between meetings of the Board, but no action taken by the Executive Committee shall be valid unless agreed to by at least three members of the committee nor after the next ensuing meeting of the Board unless approved by the Board at that meeting, and the Executive Committee shall not have power to alter, amend or suspend any by-law of the Board.

Remunera-
tion of
members of
Board.

9. There shall be paid to the members of the Board such fees for attendances and such reasonable travelling expenses as may be fixed by by-law of the Board.

Funds pay-
able to the
treasurer.

10.—(1) All moneys under the control of the Board shall be paid to the Treasurer, and shall be applied for the purpose of the College.

Grants
for certain
purposes.

(2) The Board may out of any funds in its hands from time to time make grants,—

- (a) for post graduate courses and kindred educational extension work;
- (b) for scholarship, lectureship and research work; and
- (c) in aid of any fund which has for its purpose investigation in the interest of dental, medical and surgical science; and
- (d) in aid of any association or other body having for its object the protection of members of the College or the adjustment of claims against them for anything done in their professional capacity.

LAW RESPECTING DENTISTRY

By-laws of Board.

11.—(1) The Board shall make such by-laws as it may deem necessary for the proper and better guidance, government,, discipline and regulation of the Board, the College, the members of the College and the profession of dental surgery, and the carrying out of the provisions of this Act, and such by-laws shall be published for two consecutive weeks in the "Ontario Gazette," and shall not take effect until so published.

Power to
make
by-laws.

(2) Such by-laws or any of them may be annulled by the Lieutenant-Governor in Council.

Annulment.

Certificates of License.

12.—(1) The Board may appoint one or more examiners for the matriculation or preliminary examination of all students entering the profession, or may accept in lieu of such matriculation or preliminary examination evidence that a student has passed any other satisfactory examination.

Matricula-
tion.

(2) Such examination shall be passed prior to being entered as a student of Dentistry.

Prior to
entry as
student.

13.—(1) The Board may prescribe a curriculum of studies to be pursued by students, and fix and determine the period for which every student shall be articulated and employed under a duly licensed practitioner, the examination necessary to be passed and the fees to be paid to the Treasurer before a certificate of license to practise dental surgery is issued.

Curriculum
for students,
etc.

Fees.

(2) The Board may prescribe the conditions upon which dentists residing elsewhere than in Ontario, and students and graduates from other Dental Colleges may be admitted to membership in the College.

Admission
of other
persons.

14. Subject to the approval of the Lieutenant-Governor in Council, the College may make arrangements with any university or college in Ontario for the use of any library, museum or property belonging to or under the control of such university or college, and may affiliate with any such university or college, and may enter into all arrangements necessary to that end upon such terms as may be agreed upon.

Arrange-
ments for
education of
students.

LAW RESPECTING DENTISTRY

Qualification
of certain
practitioners.

15.—(1) All persons, being British subjects by birth or naturalization, who were engaged on the 4th day of March, 1868, in the practice of the profession of dentistry, or who, not having been residents of Ontario, had then had three years' experience in the practice of dentistry, shall be entitled to the certificate of "Licentiate of Dental Surgery," upon furnishing to the Board satisfactory proof of their having been so engaged, or having had such experience, passing the required examination and paying the prescribed fees.

Exemption
of certain
practitioners.

(2) All persons being British subjects by birth or naturalization, who were continuously engaged for five years and upwards in established office practice, next preceding the 4th day of March, 1868, in the practice of the profession of dentistry in Ontario, shall, upon satisfactory proof thereof, and upon payment of the prescribed fees, be entitled to such certificate without passing any examination.

Annual
examina-
tions.

16.—(1) The Board, once at least in every year, shall cause to be held at a time fixed by the Board, an examination of the candidates for certificates and such titles as the Board has authority to grant.

How and by
whom
conducted.

(2) At every such examination the candidates shall be examined orally or in writing or otherwise by examiners to be appointed for that purpose by the Board, in such subjects as the Board shall prescribe.

Fees of
examiners.

(3) The examiners shall receive such remuneration as may be fixed by the Board.

Declaration
by examiners.

(4) Each examiner shall, if required, subscribe and take the following declaration:

Form of de-
claration.

"I solemnly declare that I will perform my duty of Examiner without fear, favour, affection or partiality towards any candidate, and that I will not knowingly allow to any candidate any advantage which is not equally allowed to all."

Accepting
other
examination
as substitute.

(5) The Board may dispense with such examination in the case of any person who proves to the satisfaction of the Board that he has passed in any university or college an examination which the Board deems of equal value.

Certificate of
qualification
to practise.

17.—(1) If the Board is satisfied by the examination that the candidate is duly qualified to practise the profession of Dental Surgery, and that he is a person of integrity and good moral character, it shall, subject to the by-laws, grant him a certificate of license and the title of "Licentiate of Dental Surgery," which certificate and title shall entitle him to all the rights and privileges conferred by this Act.

Designation
of
"Licentiate".

LAW RESPECTING DENTISTRY

(2) The Board shall hold at least one meeting in each year in the City of Toronto, for the purpose of granting such certificates and titles and for the transaction of such other business as may properly come before it.

Annual meeting.

18. Every certificate of license shall be sealed with the corporate seal of the College and signed by the President and Secretary of the Board; and the production of such certificate of license shall be *prima facie* evidence in all courts and upon all proceedings, of its execution and contents.

Issue of certificate.

Effect.

19. The Secretary of the Board shall, on or before the 15th day of January in each year, transmit to the Provincial Secretary a certified list of the names of all persons to whom certificates of license have been granted during the year ending on the next preceding 31st day of December.

Return of licenses granted.

20. Every person desirous of obtaining a license to practice dentistry in Ontario shall at least one month before the prescribed examination make application in the form prescribed by the Board and pay to the Treasurer the prescribed fees and deliver to the Secretary the Treasurer's receipt for the same, together with satisfactory evidence of his service under articles and compliance with the rules and regulations prescribed by the Board, and of his integrity and good morals.

Prepayment of examination fees.

Annual Fees

21.—(1) Every member of the College engaged in the practice of Dental Surgery in Ontario shall, on or before the first day of January in each year, pay to the Treasurer or to a person deputed by him to receive the same, such annual registration fee, not exceeding \$10, as may be prescribed by by-law of the Board, and such fee shall be recoverable by suit in the name of the Royal College of Dental Surgeons of Ontario in the Division Court of the division in which the member in default resides.

Annual fees.

(2) For any services rendered in the practice of Dental Surgery while he is in default in respect of any annual fee a member shall not be entitled to recover in any Court.

Result of default in payment of annual fee.

(3) Where default is made in payment of the annual fee and such default continues for a period of one month the license of a member so in default shall lapse, but such license may be renewed thereafter upon payment of the fee and an additional sum not exceeding \$10.

Default in payment of fee.

LAW RESPECTING DENTISTRY

Penalty for Practising Without License.

Prohibition
against
practising
without
certificate.

Or using
designation.

22.—(1) No person who is not a member of the College shall by himself or by any other person practise the profession of Dental Surgery, or perform any dental operation upon or prescribe any dental treatment for any person, for hire, gain or hope of reward, whether by way of fees, salary, rent, percentage of receipts or in any other form or shall pretend to hold, or take or use any name, title, addition or description implying that he holds a certificate of license to practice Dental Surgery, or that he is a member of the College, or shall falsely represent or use any title representing that he is a graduate of any dental college, or any title or description whatsoever which implies that he practises dentistry or any branch of dentistry or which contains the words "dentist," "dentistry," "dental" or any derivative of any such word or any letters, signs or abbreviation having the like significance.

Prohibition
as to persons
other than
College es-
tablishing
college, etc.

(2) No person, other than the College, shall carry on in Ontario any school, college, laboratory or other institution for training or imparting instruction in any branch of dentistry, but this shall not apply to any faculty of dentistry in a university in Ontario.

Penalties.

(3) Every person who contravenes any of the provisions of this section shall, for the first offence, incur a penalty of \$50, and for every subsequent offence a penalty of \$100, and he shall not be entitled to sue or recover in any Court for any services which he performed, or materials which he provided, in the ordinary or customary work of a dental surgeon.

Saving as to
student.

(4) This section shall not prevent any duly articulated student of Dental Surgery from receiving instruction in clinics and practice under the personal supervision of a member of the College.

Recovery
and applica-
tion.

(5) The penalties shall be paid over by the convicting justice to the Treasurer of the College.

Onus of
proof.

23. In any prosecution under section 22 the burden of proof of qualification shall be upon the defendant.

Suspension or Cancellation of Certificate.

Power of
Board to
suspend or
cancel
certificates.

24.—(1) The Board may suspend or cancel the certificate of license of a member of the College who has been heretofore or shall hereafter be convicted in Canada or elsewhere of an indictable offence if his conviction remains unreversed, or who has been or shall be guilty of any infamous, disgraceful or improper conduct in

LAW RESPECTING DENTISTRY

a professional respect, but this power shall not be exercised if the conviction is for a political offence committed out of His Majesty's Dominions or for an offence which, though indictable, ought not, either from its nature or from the circumstances under which it was committed, to disqualify the person convicted from practising dentistry.

Saving.

(2) Where a member has been guilty of infamous, disgraceful or improper conduct in a professional respect, the power conferred by subsection 1 may be exercised, notwithstanding that he has been acquitted of a criminal charge in respect of the same matter.

Notwithstanding acquittal of criminal charge.

(3) The Board or the Executive Committee may of its own motion and upon the application of any four members of the College shall, cause inquiry to be made into any case in which it is alleged that a member of the College has become liable to the suspension or cancellation of his certificate of license for any of the causes mentioned in subsection 1.

Inquiry by Board.

Discipline Committee.

25.—(1) The Board shall appoint and shall always maintain a Discipline Committee of its own body for the purpose of ascertaining the facts of each case which may become the subject of inquiry.

Discipline Committee.

(2) The Committee shall consist of not more than five members, as the Board may prescribe, three of whom shall be a quorum.

Number of Committee quorum.

(3) The Board may by by-law provide that the secretary of the Board shall be a member of the Committee.

Secretary may be appointed a member of committee.

(4) The Board may pass by-laws for determining the tenure of office of the members of the Committee and for the regulation and conduct of its proceedings.

By-laws as to tenure of office, proceedings.

(5) Subject to the provisions of this section and of the by-laws of the Board, the Committee may regulate the time and place for the holding, the manner of the convening and giving notice, and the conduct of its meetings.

Time, place and notice of meetings.

(6) If any vacancy occurs in the membership of the Committee, the remaining members may appoint a member of the Board to fill the vacancy, and the member appointed shall hold office until the next meeting of the Board.

Appointments to fill vacancies.

(7) Notwithstanding any vacancy in the Committee, so long as there are at least three members thereof, it shall be competent for the Committee to exercise all or any of its powers.

Quorum of committee.

LAW RESPECTING DENTISTRY

- Employment of assistance. (8) The Committee may employ, at the expense of the Board, for the purposes of any inquiry, such legal or other assistance as the Committee may deem necessary.
- Appearance by counsel. (9) The member whose conduct is the subject of inquiry shall have the right to be represented by counsel.
- Place of meeting. (10) All meetings of the Committee for taking evidence or otherwise ascertaining the facts shall be held within the county or district in which the member whose conduct is the subject of inquiry resides unless such member and the Board agree to the meeting being held at the City of Toronto.
- Notice of meeting. (11) At least ten days' notice of the meeting of the Committee for taking the evidence or otherwise ascertaining the facts shall be given to the member whose conduct is the subject of inquiry.
- Contents of notice. (12) The notice shall contain a statement of the matter which is to form the subject of the inquiry.
- Evidence on oath. (13) The testimony of the witnesses shall be taken under oath which the Chairman or any member of the Committee may administer, and there shall be full right to cross-examine all witnesses called and to adduce evidence in defence and in reply.
- Effect of non-appearance. (14) If the person whose conduct is the subject of inquiry, though duly notified, does not attend, the Committee may proceed in his absence, and he shall not be entitled to notice of the future meetings or proceedings of the Committee.
- Subpœnas. (15) The Committee and any party to the proceedings may obtain on *præcipe* from the Supreme Court a subpoena for the attendance of witnesses and the production of books, documents and things, and disobedience thereof shall be deemed a contempt of Court.
- Witness fees. (16) Witnesses shall be entitled to the like allowances as witnesses attending upon the trial of an action in the Supreme Court.
- Report. (17) The Committee shall report to the Board the evidence adduced and the Committee's findings thereon.
- Acting upon report. (18) The Board may act upon the report of the Committee and may make such order thereon as the Board may deem just.
- Costs of vexatious complaint. (19) Where the complaint is found to be frivolous or vexatious the Board may pay such costs as to it may seem just to a member whose conduct has been the subject of inquiry.

LAW RESPECTING DENTISTRY

(20) Where the Board directs the certificate of license of a member to be suspended or cancelled, it may direct that the costs of and incidental to the inquiry be paid by such member, and after taxation of such costs by the Taxing Officer of the Supreme Court at Toronto, execution may issue out of the Supreme Court for the recovery thereof in like manner as upon a judgment in an action in that Court.

Costs of enquiry.

(21) The costs to be taxed and allowed against a member, including the costs of appeal, if any, shall as far as practicable be the same or the like costs, as in an action in the Supreme Court and the Taxing Officer may also allow such fees and disbursements for work done or proceedings taken before notice of complaint as he may deem just.

Costs to be similar to those in action in Supreme Court.

26. No action shall be brought against the Board or the Committee or any member thereof for anything done in good faith under this Act on account of any want of form or irregularity in their proceedings, but a member whose certificate of license has been suspended or cancelled may, at any time within six months from the date of the decision of the Board, appeal from the decision of the Board to a Divisional Court.

No action to lie against Board or committee.

Appeal from decision of Board.

27. The practice and procedure upon and in relation to an appeal shall be similar to that provided by The County Courts Act, except that the proceedings and evidence shall be certified by the Registrar to the Appellate Division.

Practice and procedure on appeal
Rev. Stat.
c. 59.

28. The Board may direct the restoration of the certificate of license of any member whose certificate has been cancelled under the powers conferred by this Act, upon such terms and conditions as the Board may deem just.

Restoration of certificate.

29. No duly registered member of the Royal College of Dental Surgeons shall be liable to any action for negligence or malpractice, by reason of professional services requested or rendered, unless such action is commenced within six months from the date when in the matter complained of such professional services terminated.

Action for malpractice, etc.

30. Nothing in this Act shall affect or interfere with the rights and privileges conferred upon legally qualified medical practitioners by the Ontario Medical Act.

Saving as to qualified medical practitioners.
Rev. Stat.
c. 161.

31. The Dentistry Act, being Chapter 163 of the Revised Statutes of Ontario, 1914, and The Dentistry Act, 1920, being Chapter 46 of the Statutes of 1920, are hereby repealed.

Rev. Stat.
c. 163,
1920, c. 46,
repealed.

LAW RESPECTING DENTISTRY

SCHEDULE "A".

Electoral Districts.

Electoral District No 1 shall consist of the following counties:—Addington, Carleton, Dundas, Frontenac, Glengarry, Grenville, Lanark, Leeds, Lennox, Prescott, Russell, Renfrew and Stormont.

Electoral District No. 2 shall consist of the following counties:—Durham, Haliburton, Hastings, Muskoka, Northumberland, Ontario, Prince Edward, Peterborough, and Victoria.

Electoral District No. 3 shall consist of the following counties and districts:—Algoma, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Temiskaming.

Electoral District No. 4 shall consist of the city of Toronto.

Electoral District No. 5 shall consist of the following counties:—Bruce, Dufferin, Grey, Huron, Perth and Simcoe.

Electoral District No. 6 shall consist of the following counties:—Elgin, Essex, Kent, Lambton and Middlesex.

Electoral District No. 7 shall consist of the following counties:—Brant, Haldimand, Norfolk, Oxford, Waterloo and Wellington.

Electoral District No. 8 shall consist of the following counties:—Halton, Lincoln, Peel, Welland, Wentworth and York (except Toronto).

FORM 1.

(Section 6)

Voting Paper.

Election 19 .

Electoral District No.

1, of the of
in the county or district of member of the

Royal College of Dental Surgeons of Ontario, declare:—

1. That the signature affixed hereto is my proper handwriting.

2. That I am a voter in the Electoral District No. and that

I vote for of the of in the
county or district of , a member of the Royal College of
Dental Surgeons of Ontario and an elector in said Electoral
District, to be a member of the Board of Directors of the College
for the said district.

Witness my hand this ~~eleventh~~ day of ~~April~~ 19 .

ROYAL COLLEGE OF DENTAL
SURGEONS OF ONTARIO

BY-LAWS

Toronto October 1926

Royal College of Dental Surgeons
of Ontario
By-laws

PREAMBLE.

Whereas the Royal College of Dental Surgeons of Ontario is incorporated by Act of the Legislature of the Province of Ontario in the Dominion of Canada; And

Whereas power is given to the Board of Directors of the said College to make such By-laws as it may deem necessary for the proper and better guidance, government, discipline and regulation of the Board, the College, the members of the College, and the Profession of Dental Surgery, and the carrying out of the Provisions of the Dentistry Act, it is hereby enacted by the same.

By-law No. 1.—Officers.

Sec. 1.—The officers shall consist of President, Vice-President, Treasurer, Registrar, Secretary and Assistant Secretary.

Sec. 2.—The Secretary shall be considered a permanent officer, and shall hold office during the pleasure of the Board. Neither the Secretary, the Treasurer, nor the Assistant Secretary shall necessarily be members of the Board.

3.—All officers shall continue in office until their successors are elected and installed.

By-law No. 2.—Election of Officers and Committees and Their Duties.

Sec. 1.—At the first meeting of the Board after an election, as provided for in Section 6 of the Dentistry Act, 1926, the Secretary shall take the chair and present his own and the scrutineers' report of the results of the election, and shall call the roll of members-elect. If a majority is present, they shall proceed to elect the officers by a majority ballot without nomination. The officers elected shall enter immediately upon their several duties, except the Treasurer, who shall assume his duties when the books and accounts of his predecessor are audited.

Sec. 2.—It shall be the duty of the President to preside at all meetings of the Board, and to enforce the due observance of the By-laws, Rules and Regulations. He shall have the right to vote on all questions, and in case of a tie, may, in addition, give the deciding vote. He shall see that the officers and employees of the Board perform their duties. He shall sign orders on the Treasurer for all moneys voted, and for the payment of all accounts ordered, by the Board or by the Committees of the Board, under the direction of the Board. In the case of a vacancy occurring in any office of

ROYAL COLLEGE OF DENTAL SURGEONS BY-LAWS

the Board or among the appointees of the Board, in the interim of meetings, he shall fill it temporarily. He shall call special meetings of the Board when necessary. He shall perform such other duties as the Board may, by by-law or resolution, from time to time direct. In the absence or disability of the President, his duties shall be discharged by the Vice-President. In the temporary absence of the President and Vice-President, the members of the Board present at a meeting duly called, shall elect one of themselves as chairman, who, while presiding, shall have the same powers and exercise the same functions as the President.

Sec. 3.—It shall be the duty of the Secretary to conduct, under the direction of the Board of Directors, the correspondence relating to the affairs of the Royal College of Dental Surgeons of Ontario; to keep copies of letters written by him, and files of all letters received; to keep a true record of the proceedings of each meeting of the Board; to notify members of the meetings; to keep a correct list of the Licentiates, with the date of license; to issue an annual Registration Card to those Licentiates whose annual fee is paid; to conduct the election of representatives on the Board of Directors; to lay before the Board a summary of its transactions at each regular meeting; and, in conference with the President, to transact all business requiring attention between the various meetings of the Board; to pay over promptly to the Treasurer all funds coming into his hands as Secretary; to draw orders on the Treasurer for all moneys voted, and for the payment of all accounts ordered, by the Board or the officers of the Board, under the direction of the Board, and to perform such other duties as the Board may, by by-law or resolution, from time to time direct, and to deliver to his successor in office all books, papers, etc., belonging to the Board, in his possession.

Sec. 4.—It shall be the duty of the Treasurer to receive all funds of the Board, and to deposit them in such chartered bank as the Board, by resolution, may direct; to open a savings account in the name of the Royal College of Dental Surgeons of Ontario in such bank, in which all moneys received by him are to be deposited. Withdrawal from this account is to be by cheque, signed by the Treasurer and countersigned by the President; to also open a current account, which account shall contain not more than \$2,000.00 at any one time; the current account shall be subject to withdrawal by cheque signed by the Treasurer; to make disbursement only upon the signed order of the President and Secretary; to pay all orders drawn on him signed by the President and Secretary; to keep a correct account of all moneys received and disbursed by him; to give at each regular meeting a report of the state of the finances of the Board; not later than the first of December in each year to notify each member of the College residing in Ontario of the amount that will be due to the College by him or her on the first day of January, next ensuing, under the provisions of Sec. 21 of the "Dentistry Act," and of the by-laws of the Board; to deliver to his successor in office all moneys, books, papers and other property of the Board that may be in his possession, and to perform such other duties as the Board may, by by-law or resolution, from time to time direct.

Sec. 5.—It shall be the duty of the Registrar to keep a true record of all Certificates of License issued by and under the authority of the Board; to insert the date of such Certificate, the name of

ROYAL COLLEGE OF DENTAL SURGEONS BY-LAWS

the Licentiate, residence, qualification, etc., in a book specially provided for that purpose; and to deliver to his successor in office all books and papers, etc., the property of the Board, that may be in his possession.

Sec. 6.—At the annual meeting of the Board there shall be appointed an Executive Committee of five members, and the President shall appoint standing committees as follows: On Examiners, of three members; on Petitions, of three members; on Accounts, of two members; on Legislation, of four persons, of whom at least two shall be members of the Board. The Board may from time to time elect or cause to be appointed such other committees as the proper transaction of the business may require. The duties of these committees shall be such as usually devolve on such committees, and such other duties as the Board shall specially direct.

By-law No. 3.—Security of Treasurer.

The Treasurer shall, before entering upon his duties, give a security bond, approved by the Board, in the sum of \$2,000, for the faithful accounting of the moneys which he may receive as Treasurer, the premium for the same to be paid by the Board.

By-law No. 4.—Seal.

The seal shall be a crown in the centre, surrounded with the words, "Royal College of Dental Surgeons of Ontario."

By-law No. 5.—Matriculation.

For matriculation into the Royal College of Dental Surgeons of Ontario the following certificates will be accepted:

Sec. 1.—For 1926:—

(1) A certificate issued by the Ontario University Matriculation Board, of standing as for Pass Matriculation in the subjects of English, History, Mathematics, Latin, Experimental Science (Physics and Chemistry), and one of Greek, German, French, Italian or Spanish (preferably French).

(2) A certificate of matriculation in the Faculty of Arts of an approved British or Canadian University.

(3) A certificate accepted by the General Medical Council of Great Britain for registration as a student of Medicine or Dentistry.

(4) A degree in Arts (not being an honorary degree) from some recognized University.

(5) A certificate of matriculation in the Faculty of Dentistry of the University of Toronto.

Sec. 2.—After 1926—The following subjects will be required in addition to the above:—

Honour Matriculation

ENGLISH (Literature and Composition)

MATHEMATICS (Algebra, Geometry and Trigonometry)

Any one of:

LATIN (Authors and Composition)

GREEK (Authors and Composition)

FRENCH (Authors and Composition)

GERMAN (Authors and Composition)

NOTE.—Physics or Chemistry or Botany or Zoology of Honour Matriculation may be substituted for Trigonometry.

ROYAL COLLEGE OF DENTAL SURGEONS BY-LAWS

Sec. 3.—Certificates other than those previously mentioned will be considered in determining the status of applicants as undergraduates.

Sec. 4.—A candidate must hold the full entrance qualifications before commencing the study of Dentistry.

By-law No. 6.—Respecting Students of Dentistry and the L.D.S. Certificate.

Sec. 1.—Anyone desirous of obtaining a Certificate of License to practise Dentistry in the Province of Ontario is required, subject to the exceptions hereinafter named:—

(1) To matriculate in the Royal College of Dental Surgeons of Ontario.

(2) To pursue the study of Dentistry for a period of at least five academic years. Indentures shall not be compulsory, but if any matriculated student who has attended at one session of the Faculty of Dentistry of the University of Toronto desires to spend any one of the intervals between the sessions of the said Faculty of Dentistry, in the office of an ethical practitioner of Dentistry in the Province of Ontario, he shall put himself under the protection of the "Dentistry Act" by signing an Indenture with a practitioner in the form approved by the Board, for not more than six months, which shall not be extended, or renewed, without the consent of the Board. Each student shall spend such additional time in clinical instruction as may be prescribed by resolution. Indentures shall be valid only from the date of their registration with the Secretary of the Board.

(3) To attend five full sessions of the Faculty of Dentistry of the University of Toronto, subject to exception provided for in By-law No. 11, and to comply with such rules and regulations as may, from time to time, be prescribed by the Board of Directors of the Royal College of Dental Surgeons.

(4) At least one month before the date of examination of candidates for Certificates of License to practise Dentistry in the Province of Ontario to forward to the Secretary of the Board:—

(a) An application for such examination, and the statutory declaration required to be made by himself.

(b) To furnish such evidence as may be demanded of having complied with all the above requirements up to the final examination.

(5) To be of the full age of twenty-one years and of good moral character.

Sec. 2.—The subjects in which examination (final or progress, or both) shall be passed before receiving a Certificate of License to practise Dentistry in Ontario are those contained in the curriculum of the Faculty of Dentistry of the University of Toronto.

Sec. 3.—No student shall, while in attendance at the Faculty of Dentistry, engage in practice for his own pecuniary benefit, either in the Infirmary or elsewhere; nor shall he at any time perform any dental operations elsewhere than in the Faculty of Dentistry or in the head office of his registered Preceptor. This regulation shall not prevent a regularly indentured student from receiving from his Preceptor remuneration for his services. Violation of this section will render the offender liable to immediate suspension from all the privileges of a student of Dentistry.

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Sec. 4.—No Licentiate of Dental Surgery in the Province of Ontario shall be entitled to have more than one indentured student under tuition in his office at the same time.

Sec. 5.—The Board shall have power to withhold the issue of a Certificate of License to practise Dentistry from any student for such period as the Board may see fit, upon being satisfied that such student has at any time during his course of studies as a student of Dentistry violated any of the provisions of this By-law, or has dishonestly appropriated any property belonging to the College, members of the staff, or a fellow-student, notwithstanding that such student may have passed the required examinations, paid the necessary fees, and complied with all the other conditions necessary to entitle him to such Certificate. And the neglect or failure of the Board or its officers to take action against any such student after knowledge of such offence shall not be deemed to be, nor shall the same be a waiver of any of the rights of the Board under this section.

By-law No. 7.—Certificate.

Sec. 1.—The Certificate of Licentiate of Dental Surgery to be granted by this Board shall be signed by the President, Secretary, Treasurer, and the members of the Board present at the time granted.

Sec. 2.—The following shall be the form of certificate:—

The Royal College of Dental Surgeons of the Province of Ontario, Canada, by virtue of authority vested in it by the Legislature of Ontario, awards this certificate to _____, who has complied with all the requirements of law, and after examination by the Board of Directors, has been adjudged qualified to practise Dentistry in all its branches, and entitled to the title of Licentiate of Dental Surgery, which is hereby conferred on him. In witness whereof we have hereunto subscribed our hands and affixed the seal of the College, at the City of Toronto, in the Province of Ontario, this _____ day of _____ in the year of our Lord _____ thousand _____ hundred and _____

By-law No. 8.—Examination.

Sec. 1.—There shall be held annually, at such time or place as the Board may direct, an Examination for Certificates of License.

Sec. 2.—Supplementary Examinations for the same purpose may be held at such time and place as the Board may from time to time direct.

Sec. 3.—For the purpose of conducting such Examination the Board shall appoint at its annual meeting a sufficient number of competent Examiners, said Examiners to hold office until their successors are appointed.

Sec. 4.—The said Examiners shall prepare papers in their assigned subjects, and at least fifteen days before the time fixed for the Examinations shall forward them to the Secretary who with and under direction of the President shall have authority to correct errors and make other changes as may be necessary to make the meaning perfectly clear.

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These papers shall be printed under the direction of the Secretary, who shall take all needful precautions to secure secrecy.

Sec. 5.—The Examination shall be held under the direction of the Secretary, who shall not leave the room while the candidates are writing without leaving someone in charge. He shall exercise due diligence to prevent one candidate assisting another, and, when necessary, shall appoint watchers to assist him.

The candidate shall write his answers in a book furnished him for that purpose, and the Secretary shall seal them in a package and forward them at once to the Examiner.

Sec. 6.—Before the candidates commence to write, the Secretary shall assign to each candidate a number, which he shall put on all his papers, and no name or other means of identification other than this shall be put on any paper.

Sec. 7.—The Examiner shall read and value each paper, marking it in percentages, and shall forward to the Secretary a tabulated return of the number of marks made by each candidate on each question.

Any candidate at an Annual or Supplemental Examination may have a paper reread by making application to the Secretary and the payment to him of a fee of two dollars.

Sec. 8.—The Secretary shall tabulate these returns and present them to the Board.

Sec. 9.—For the services specified in this By-law there shall be paid to the Examiner for the preparation of each examination paper the sum of \$5, and for reading and valuing each paper of a student the sum of fifty cents.

Sec. 10.—A candidate desiring a Supplemental Examination must, not less than twenty days before the date fixed for the Examination, notify the Secretary of his intention to present himself, and pay to him the fee of \$5 for each subject on which he proposes to write; in no case shall the fee be more than the full fee for the original Examination.

Sec. 11.—In case any Examiner refuses to act as Examiner, or through sickness or other causes is unable to act, the President shall have full power to fill the vacancy; and the Examiner so appointed shall be entitled to the same emoluments as those appointed by the Board.

Sec. 12.—The Secretary shall make all necessary arrangements for Examinations, as to securing hall, providing stationery, notifying the Examiners and Candidates, etc.

Sec. 13.—The Board may accept the Examinations as conducted by the Faculty of Dentistry of the University of Toronto.

By-law No. 9.—Annual Licentiate Fee.

Every member of the Royal College of Dental Surgeons of Ontario engaged in the practice of Dentistry in the Province of Ontario shall pay to the Treasurer, or to the person deputed by him to receive the same, on or before the first day of January in each year, the sum of five dollars.

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By-law No. 10.—Election of Directors.

Sec. 1.—The counting of the voting papers for the election of members of the Board of Directors of the Royal College of Dental Surgeons of Ontario shall take place in such place in the City of Toronto as the Secretary shall direct, on the second Wednesday of December in every second year, reckoning from the year 1912, and the proceedings shall commence at two o'clock in the afternoon of the said day.

Sec. 2.—The Secretary shall, during the first week of October, in every year in which an election is to be held, mail to every member of the said College residing in the Province of Ontario, at his last known place of residence, a notice of the time, place and manner of conducting said election.

Sec. 3.—The persons qualified to vote at such elections shall be all the members of the said College residing in the Province of Ontario, who, on October 31st, in the year in which an election is to be held, are not in arrears in respect to any fees payable under the provisions of the "Dentistry Act," and these alone shall be qualified electors.

Sec. 4.—Every qualified elector shall be entitled to vote at such election for one duly nominated candidate for membership in the said Board from the electoral district in which the elector resides.

Sec. 5.—Every qualified elector shall be eligible to nomination as a candidate for election to the said Board from the electoral district in which he resides.

Sec. 6.—Any qualified elector may, in writing delivered to the Secretary, not later than the tenth day of November, in the year in which an election is to be held, nominate any qualified elector resident in the electoral district in which the nominator resides, as a candidate for election to the Board from the said district, and no one shall be deemed a candidate for election who has not been nominated by at least two qualified electors. Any candidate so nominated shall be immediately notified by the Secretary, and may resign by registered letter addressed to the Secretary, so as to reach him not later than the 17th day of November.

Sec. 7.—The nomination paper shall be in the form or to the effect following, viz.:—

To the Secretary of the R.C.D.S. of Ontario:

Having obtained his consent to do so, I hereby nominate as a candidate for election as a member of the Board of Directors of the R.C.D.S. of Ontario, for the electoral district No.

L.D.S., a qualified elector resident in the said electoral district, his post office address being _____ in the County of _____

(Name of nominator)

(Post office)

(County)

(Date)

Sec. 8.—Only such nomination of qualified candidates by qualified electors shall be accepted as shall be received by the Secretary on or before the 10th day of November in the year of an election. In any electoral district where but one candidate has been duly nominated such candidate shall be declared elected by acclamation.

ROYAL COLLEGE OF DENTAL SURGEONS BY-LAWS

Sec. 9.—As soon as may be after the 17th day of November, and not later than the 23rd day of November, the Secretary shall mail to every qualified elector resident in any Electoral District for which two or more candidates have been duly nominated:—

(a) A list of the candidates duly nominated for the electoral district in which he resides.

(b) A blank voting paper (Form One of the Dentistry Act.)

(c) An envelope addressed to himself, and marked "Voting Paper, Royal College of Dental Surgeons of Ontario."

(d) Such directions to the elector as may be needful.

Sec. 10.—A voting paper to be counted at said election must be duly executed by a qualified elector in the form prescribed by the Dentistry Act, and must be enclosed in an envelope marked "Voting Paper, Royal College of Dental Surgeons of Ontario," and must be sent to the Secretary, so as to be delivered to him, not later than the Tuesday preceeding the second Wednesday in December in the year in which an election is held.

Sec. 11.—It shall be the duty of the Treasurer of the said College, immediately after the 31st day of October in the year in which an election is to be held, to furnish to the Secretary a certified alphabetical list of the names of all the members of the said College who, on the said 31st day of October, were not in arrears in respect to any fees payable under the provisions of the Dentistry Act.

Sec. 12.—From the list of names of members of the said College not in arrears, so furnished by the Treasurer, the Secretary shall prepare a list of duly qualified electors, alphabetically arranged, for each of the eight electoral districts prescribed by Schedule "A" of the said Dentistry Act, and these shall be the electoral lists for the purpose of said election.

Sec. 13.—Previous to each biennial election, the Board shall appoint two scrutineers. In case a vacancy exists at the time of an election from failure of the Board to appoint, or the refusal or inability of an appointee from any cause to act, the Secretary shall fill the vacancy. For their services the scrutineers shall receive as remuneration the sum of \$10 each.

Sec. 14.—The persons entitled to be present at the counting of voting papers shall be the President, Treasurer and Secretary of the Board, the scrutineers and the candidates, or their representatives, duly accredited in writing.

Sec. 15.—The election shall be under the direction of the Secretary, who shall decide upon the eligibility of any elector to vote, and shall decide any dispute which may arise between the scrutineers, but he shall not otherwise interfere in the proceedings.

Sec. 16.—The counting of voting papers shall be so conducted that none but the scrutineers shall know how any elector votes, and these shall make, before the Secretary, a declaration of secrecy similar to that made by scrutineers at a municipal election.

Sec. 17.—At the time and place fixed for the counting of voting papers, the Secretary shall deliver to the scrutineers, unopened, all the voting papers received by him, in the manner and within the time specified by the said Dentistry Act. The scrutineers shall at once proceed to open and count all voting papers properly marked for each candidate in each of the electoral districts.

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Sec. 18.—In case, in any district, two or more candidates have an equal number of votes, the scrutineers shall by lot decide which shall be declared elected.

Sec. 19.—When all the votes have been counted, the scrutineers shall make a certified return in duplicate of the total number of votes cast in each district, the number cast for each candidate in each district, and the number of voting papers rejected, stating the reason for rejection. One of these returns shall be handed to the Secretary and the other sealed up with the voting papers as hereafter directed.

Sec. 20.—When the election is completed the scrutineers shall seal all the voting papers cast in each district in an envelope by themselves, distinguishing those which were rejected, and shall mark on the outside the number of the district from which they came. The scrutineers shall then put these envelopes in a large envelope, with one copy of their certified return, and shall securely seal the same and hand it to the Secretary, who shall deliver it to the newly-elected Board at its first meeting.

Sec. 21.—On receiving from the scrutineers their certified return, the Secretary shall notify, by letter, the candidate in each district having the largest number of votes, of his election as a member of the Board of Directors for the ensuing biennial term.

Sec. 22.—Any candidate at such election, deeming himself to have been unfairly treated, may, within one month after such election, lodge a protest with the Secretary, and the matter shall be disposed of at the first meeting of the Board thereafter.

Sec. 23.—If from any cause the Secretary is unable, refuses or neglects to act in any capacity in which his services are required by the provisions of this By-law, the President shall appoint someone to act in his place, and such person, so appointed, shall have authority to discharge all the duties devolved by this By-law on the Secretary.

By-law No. 11.—Admission of Graduates of Other Colleges to Membership in the Royal College of Dental Surgeons and for Other Purposes. Graduate Dentists.

Sec. 1.—Graduate Dentists of ethical conduct and good normal character holding a graduation diploma from a recognized Dental College, upon meeting the matriculation requirements of the Royal College of Dental Surgeons of Ontario, may be admitted to the examinations of the Royal College of Dental Surgeons, and may be required to write upon the final examinations in all of the subjects, contained in the five year curriculum of the Faculty of Dentistry of the University of Toronto excepting those of the first year.

Sec. 2.—All candidates must meet the same standards of entrance and length of course as required by the Faculty of Dentistry of the University of Toronto.

Dominion Dental Council Certificate.

Sec. 3.—(1) Holders of a certificate of qualification issued by the Dominion Dental Council of Canada, subject to sub-sec. (2), may be admitted, without further examination, to membership in the Royal College of Dental Surgeons of Ontario. Registration fee, \$50.

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(2) A Dominion Dental Council certificate will not be accepted from any graduate who began the study of Dentistry subsequent to September 1st, 1921, and did not take a five year dental course.

By-law No. 12.—For the Regulation of the Profession of Dentistry.

Sec. 1.—No member of the Royal College of Dental Surgeons of Ontario shall, while such member, be guilty of professional misconduct or of any conduct unbecoming a licentiate of Dental Surgery.

Sec. 2.—No such member shall practise his profession in such a way as that he shall or may be unable to give full force and effect to his training, experience and judgment as acquired in the course of his education by the said College, in particular and without restricting the generality of the provisions:—

(a) No member of the said College shall, as employee, assistant, agent, partner, officer, shareholder or otherwise howsoever, practise his profession under the control of or for the benefit, profit or advantage of any Corporation, or of any person not being duly qualified and lawfully entitled to practice Dentistry in Ontario, or in such a way that directly or indirectly any such Company or unqualified person may or shall make thereby any profit, reward or advantage.

(b) No member of the Royal College of Dental Surgeons of Ontario shall employ any person not legally qualified and duly authorized under the said act to prescribe any medicine or dental treatment or to perform any dental operation, or shall permit any such person in his name or for his benefit, or on or about his premises, to prescribe any medicine or dental treatment, or to perform any dental operations upon any person whatever.

(c) No member of the Royal College of Dental Surgeons of Ontario shall practise his profession as a dentist within the Province of Ontario save only in his own name, or under the name or names of some other duly qualified and authorized member or members of the said College.

(d) No member of the Royal College of Dental Surgeons of Ontario shall in any manner whatever practise his profession subject to the authority or control, expressed or implied, of any person not a member of the said College.

Sec. 3.—Any member of the said College who shall have been found by a competent Court guilty of fraud or mal-practice, or of obtaining money by false pretences in connection with his practice as a dentist, or of any other serious offence, or who shall have been found by a competent Court to have committed any act which in the opinion of the Board makes it improper that he should be allowed to continue to practise his profession, or who shall have been found, by the Board, guilty of contravening any of the provisions of this by-law, shall be deemed to have been guilty of conduct unbecoming a Licentiate of Dental Surgery.

By-law No. 13.—Remuneration of Directors.

Sec. 1.—Each member of the Board in attendance at meetings of the Board, or Committees thereof, shall be paid for each day in attendance, \$30.00; and for each additional day necessarily spent in travelling from and returning to his home \$30.00.

Sec. 2.—There shall be paid to each member of the Board the sum necessarily disbursed by him for travelling expenses.

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By-law No. 14.—Discipline Committee.

Sec. 1.—The Board shall appoint, at the commencement of each bi-ennial term, a committee of five members, to be known as the Discipline Committee. The first named shall be Chairman of the Committee. The members of the said Committee shall hold office for the term of two years or until their successors are appointed. Three members shall be a quorum.

Sec. 2.—The said Committee shall have all the rights, powers, authorities, privileges and immunities conferred by the said Act on such Committee, and shall conduct its proceedings in accordance with the said Act.

Sec. 3.—The Secretary of the Board may be appointed a member of this Committee.

By-law No. 15.—Alterations.

Sec. 1.—Any of these By-laws, or any of the Rules of Order or Regulations of the Board, may be repealed, amended, or added to by a two-thirds vote of the members present at a regular meeting.

Sec. 2.—Any of these By-laws, Rules and Regulations may be suspended for the time being by a two-thirds vote of the members present at a regular meeting.

Sec. 3.—For the purpose of this By-law a “regular meeting” shall be any meeting of the Board duly called under the provisions of the Dentistry Act.

